Canadian Environmental Assessment Agency
Agence canadienne d'évaluation environnementale

GUIDE TO THE PREPARATION OF A COMPREHENSIVE STUDY

for Proponents and Responsible Authorities

1997

Canada

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PREFACE

This document offers guidance to those involved in planning, conducting, documenting, reviewing and participating in the comprehensive study of projects in accordance with the *Canadian Environmental Assessment Act* (the Act) and its regulations. It is intended primarily for the information and use of responsible authorities and project proponents who are most directly involved in carrying out environmental assessments and in preparing comprehensive study reports.

This guide should not be perceived as a substitute for the Act and, in the event of a discrepancy, the Act will prevail. The Canadian Environmental Assessment Agency can help interpret the Act and offers guidance on issues related to comprehensive studies.

This document will be updated and expanded periodically in response to inquiries and comments from those involved in comprehensive study. Please forward any questions, suggestions or comments to:

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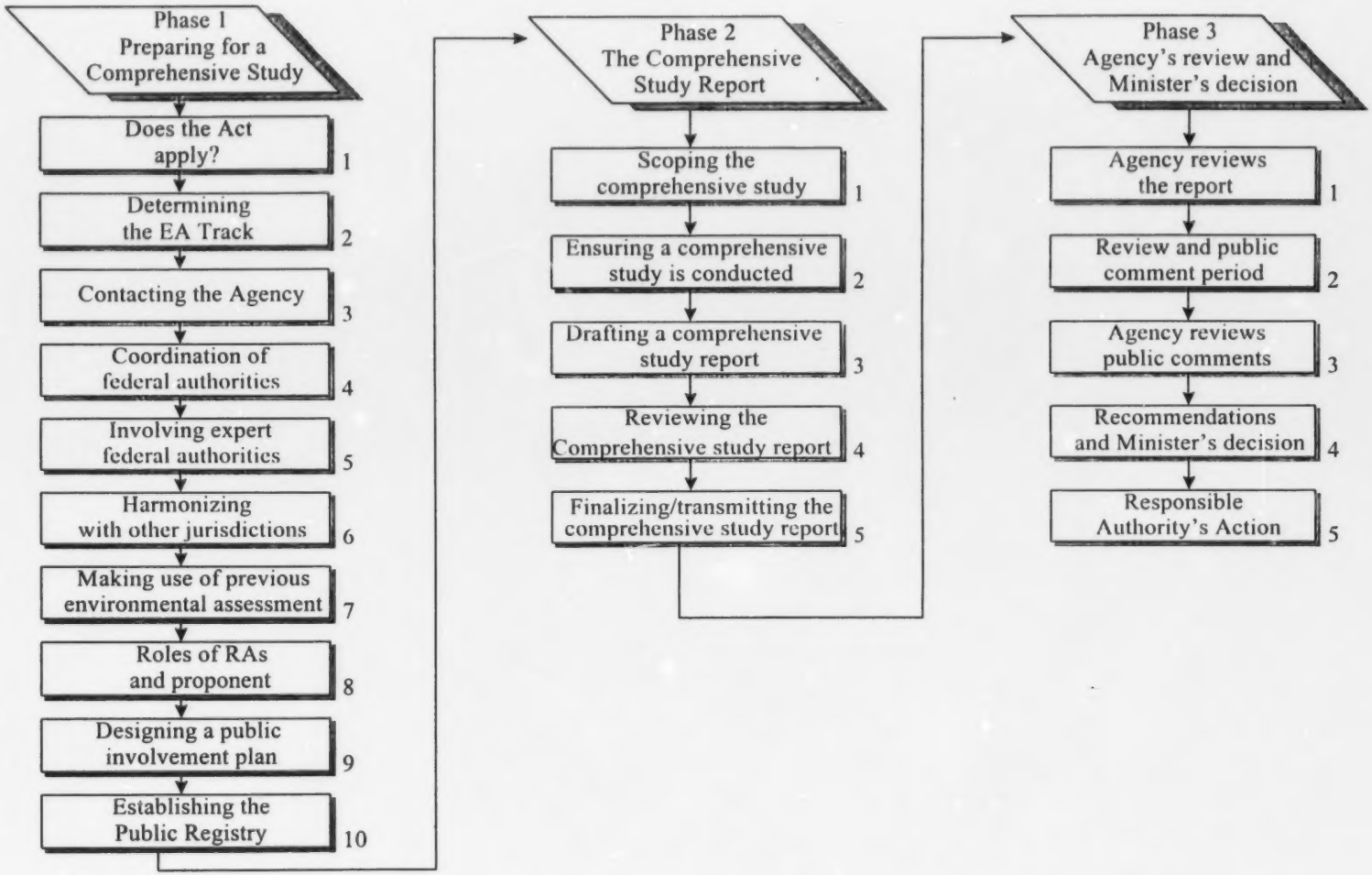
CONDUCTING A COMPREHENSIVE

STEP BY STEP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INTRODUCTION

The Canadian Environmental Assessment Act (the Act) specifies that the environmental assessment of a project may take the form of a screening, a comprehensive study, mediation or a panel review.

The comprehensive study, like a screening, is a self-directed environmental assessment. The responsible authority, whether or not it is the proponent of the project, must ensure that the comprehensive study report is prepared in accordance with the Act and the regulations pursuant to the Act.

Although the majority of projects covered by the Act will undergo an environmental assessment through a screening, some projects will require a more intensive assessment of environmental effects through a comprehensive study. Such projects tend to be large-scale and, due to their nature, have the potential to result in significant environmental effects and/or to generate considerable public concern.

Comprehensive studies are designed to assess larger-size projects that may not require mediation or a panel review; a comprehensive study can eliminate the need for a panel review or mediation in situations where, taking into account any applicable mitigation measures, a project is deemed to:

- have insignificant environmental effects and does not generate a great deal of public concern; or
- have unjustifiable and significant environmental effects.

As such, a comprehensive study serves as a useful, proactive environmental assessment (EA) tool which can reduce the number of larger projects requiring a public review or mediation.

There are important differences between a comprehensive study report and a screening report. In a comprehensive study:

- the proponent or responsible authority (RA) must address a wider range of factors than those required by a screening report (ss.16(2));
- the RA must submit the comprehensive study report to the Canadian Environmental Assessment Agency (the Agency) for public comment;
- the RA must consider the need for a follow-up program; and
- the Minister of the Environment (the Minister) is responsible for determining the next step in the environmental assessment process.

Examples of Projects
in the Comprehensive Study List Regulations

- large oil and natural gas developments
- construction of major electricity generating stations
- large mining developments
- major pipelines
- nuclear power facilities
- large industrial plants

A comprehensive study is required for the projects described in the Comprehensive Study List Regulations.

The benefits of a well-conducted comprehensive study are manifold. A comprehensive study:

- results in a better project, providing for front-end planning;
- respects the principle of sustainable development;
- increases the level of acceptance of the project by the public;
- is more cost- and time-efficient than a panel review; and
- eliminates unnecessary duplication in the EA process.

This step-by-step guide has been developed to assist RAs in the preparation of a comprehensive study. The guide is divided into three phases, as follows:

Phase 1 outlines the steps required to prepare for a comprehensive study.

Phase 2 discusses the steps necessary to conduct the comprehensive study and to prepare the comprehensive study report.

Phase 3 explains the process followed by the Agency and the Minister of the Environment for the review and approval of the report.

PHASE 1: PREPARING FOR A COMPREHENSIVE STUDY

STEP 1.1: DETERMINING WHETHER THE ACT APPLIES

To determine whether the *Canadian Environmental Assessment Act* applies, the responsible authority must determine if:

- there is a "project" as defined by the Act;
- the project is not excluded by the Act or a regulation under the Act;
- the project involves a federal authority; and/or
- the project involves an action that triggers the need for an environmental assessment under the Act.

Is the proposal a "project" as defined by the Act?

According to the Act, a project can either be:

- an undertaking in relation to a physical work, such as any proposed construction, operation, modification, decommissioning, or abandonment; or

- any proposed physical activity not relating to a physical work that is set out in the Inclusion List Regulations of the Act.

The first category covers most projects. The second category is designed to bring into the environmental assessment process certain activities that may have an impact on the environment. A proposed physical activity will fall under the Act only if it is described in the Inclusion List Regulations of the Act.

Examples of projects

Undertakings in relation to a physical work:
- *construction, decommissioning or abandonment of a hydroelectric generating station*
- *construction of an oil and gas pipeline*
- *construction, decommissioning or abandonment of a pulp and paper mill*

Physical activities not relating to a physical work:
- *testing of weapons*
- *low-level flying of military fixed-wing jet aircraft*

Is the project excluded?

A project is excluded from assessment under the Act when it is:

- carried out in response to a national emergency for which special temporary measures are being taken under the *Emergencies Act*;
- carried out in response to an emergency and carrying out the project is designed to prevent damage to property or the environment or is in the interest of public health or safety; and
- described in an exclusion list prescribed by regulations under the Act (Exclusion List Regulations).

Does the project involve a federal authority?

The requirement for an environmental assessment under the Act is triggered by an action of a federal authority. A federal authority is described as:

- a federal minister of the Crown;
- an agency or other body of the Federal Government that is ultimately accountable to Parliament through a federal Minister of the Crown;
- any federal department or departmental corporation set out in Schedules I or II of the *Financial Administration Act*; or
- any other body prescribed in the regulations to the Act.

Does the project involve an action by a federal authority that triggers the need for an environmental assessment?

An environmental assessment is required when a federal authority (s. 5 of the Act):

- is the proponent of a project;
- grants money or other financial assistance to a project;
- grants an interest in land to enable a project to be carried out (that is, sells, leases, or otherwise transfers control of land); or
- exercises a regulatory duty in relation to a project, such as issuing a permit or license, that is covered under the Law List Regulations. (Note that not every federal licensing or permitting action relates to projects that may cause environmental effects and require an EA; only those regulatory powers described by the Law List Regulations trigger the process under the Act).

STEP 1.2: DETERMINING THE EA TRACK

The RA must determine which EA track to follow. There are two broad categories of assessment: self-directed EAs and public reviews.

The majority of federal projects requiring an environmental assessment will undergo a self-directed EA, which can involve either a screening or a comprehensive study. Both are considered self-directed environmental assessments because the responsible authority:

- determines the scope of the environmental assessment;
- ascertains the factors to be considered;
- directly manages the environmental assessment process; and
- ensures that an environmental assessment report is drawn up.

Although the majority of self-directed EAs will involve screenings, some will require a comprehensive study, which involves a more intensive and rigorous assessment of a proposed project's environmental effects.

A project will undergo a comprehensive study when it:

- is prescribed within the Comprehensive Study List Regulations;
- has not been referred directly by the RA to the Minister for mediation or panel review; and
- takes place inside of Canada.

The RA must review the Comprehensive Study List Regulations to determine if the project, for which it is proposing to exercise a power, is described on the list. Where it is unclear whether a project is on the list, the RA should seek advice from the Agency.

Conducting a comprehensive study may eliminate the need for a public review in the form of a mediation or review panel. However, projects may be referred directly to the Minister of the Environment for a public review (ss.21(b)), without completing a comprehensive study, when the RA is of the opinion that:

- the project, taking into account the implementation of appropriate mitigation measures, is likely to cause significant adverse environmental effects that, under the circumstances, may nonetheless be considered justified;

- public concerns are significant enough to warrant an immediate referral to a mediator or review panel; or

- there is likely to be significant uncertainty associated with the environmental effects of the project, and the uncertainty is unlikely to be resolved through a comprehensive study.

> Projects should only be referred to the Minister for a public review or mediation when it is evident that the project, despite its environmental effects, would likely be justified under the circumstances, or that undertaking a comprehensive study would not resolve public concerns or scientific uncertainty, nor identify suitable mitigation measures.

For projects outside of Canada, there are some differences in the environmental assessment process as described in the *Projects Outside Canada Regulations* which came into force on November 7, 1996. Determining whether the Act applies is the same for projects outside Canada as for any other project. The key difference is that there is no comprehensive study stage for projects outside Canada. All projects are subject to a screening. If, after a screening, the RA determines that further assessment is needed because the project is likely to have significant effects, the effects are unknown, or there is significant public concern, the project is referred to the Minister. In consultation with the Minister of Foreign Affairs, the Minister may refer the project to a panel, an advisory committee or mediation. The panel may be a joint panel with another country. Advisory committees can only be appointed for projects outside of Canada. The difference between an advisory committee and a panel is that an advisory committee is not required to hold public hearings.

STEP 1.3: CONTACTING THE AGENCY FOR ADVICE AND COORDINATION

Early coordination between the RA and the Agency is an essential factor in conducting an effective and efficient comprehensive study. Seeking early and ongoing assistance from the Agency has several important benefits as it:

- builds greater flexibility into the comprehensive study review process by ensuring that unforeseen developments or relatively minor issues do not unnecessarily trigger the need for a costly, time-consuming public review;

- ensures consistency in the way comprehensive studies are conducted and in the way reports are drafted;

- avoids the need for additional information requests late in the process (i.e. once the report has been submitted), which significantly increases the time required to conduct the comprehensive study;

- reduces cost and time as the Agency can assist in identifying efficient practices/procedures for the various steps of the comprehensive study;

- ensures that the comprehensive study report released to the public is in compliance with the Act and all relevant policies and guidelines; and

- reduces the Agency's time to review the comprehensive study report.

RAs should contact the Agency's regional offices as soon as the need for a comprehensive study has been identified. A list of the Agency's regional office locations is provided in Appendix A.

The roles and responsibilities of the Agency regarding comprehensive studies include:

- assisting in the co-ordination the comprehensive study among federal authorities as specified in the *Federal Co-ordination Regulations*, including:
- assisting in identifying and defining the role of the RAs in cases where the same project may have two or more RAs;
- assisting in identifying expert authorities to review and to provide input to comprehensive study reports;
- providing advice on the scope of the assessment;
- advising on federal assessment processes and procedures and, in cases where the same project is also subject to assessment by another jurisdiction, advising on harmonizing with other EA processes;
- reviewing comprehensive study reports and supporting documentation to determine compliance with statutory, regulatory and policy guidelines related to federal environmental assessments;
- ensuring that public notification and consultation requirements under the Act are met (ss.22(1)), including the preparation of public notice plans, issuance of notices, distribution of comprehensive study documents, and receipt and analysis of public comments;
- facilitating the resolution of disagreements among responsible authorities (ss.12(2)), expert departments, proponents and others during the comprehensive study, and among stakeholders and the public during the review of the comprehensive study report; and
- preparing and submitting, for the consideration of the Minister, recommendations on the need for further assessment, taking into account the comprehensive study documents and comments from the public.

Timeliness

The Agency will act expeditiously in fulfilling its obligations under the Act and in providing advice and assistance to those conducting comprehensive studies. It will seek to ensure that the RA is informed in a timely manner of the Minister's decision on the course of action to be taken following the comprehensive study.

STEP 1.4: CO-ORDINATING AMONG FEDERAL AUTHORITIES

Many comprehensive studies will involve more than one RA. It is important that the conduct of the comprehensive study be co-ordinated among RAs and expert departments. All likely RAs and expert departments should be identified at the outset. To meet these objectives, the *Federal Co-ordination Regulations* contain a procedure that federal authorities must follow to co-ordinate EAs. The requirements of the *Federal Co-ordination Regulations* are summarized in this guide. For more detail on the regulations, consult the reference guide on the *Federal Co-ordination Regulations* (See Appendix H for more information on how to obtain a copy of this guide).

The application of the procedure in the *Federal Co-ordination Regulations* will result in:

a. All the RAs for a comprehensive study being identified early in the process;
b. Expert departments being identified and involved early in the process;
c. Provinces, other jurisdictions and proponents being informed early of which RAs are involved in a project;
d. Any previous EAs of a project being provided to one of the RAs.

The following is a summary of the procedure in the *Federal Co-ordination Regulations*:

If you are a federal authority that has received a project description from a province, a proponent or the Agency, you must:

- determine if you are likely to be an RA within 10 business days if there is an indication that the project is subject to another jurisdiction's EA process, and within 30 business days if there is no indication that the project is subject to another jurisdiction's EA process;
- inform the proponent, the Agency or the province of this determination; and
- if the determination is that you are likely to be an RA, notify other federal authorities that are likely to be RAs or expert departments. The notice must include a project description and specify how long the recipient has to respond (which must be no longer than 30 business days).

If you are a federal authority that has received a notification of project from another federal authority, you must:

- determine if you are likely to be an RA within the time frame specified in the notice;

- inform the contact given in the notice and the proponent of the determination; and
- provide any previous EAs you have conducted for the project or parts of the project to the contact given in the notice.

In either case, if you require more information to determine whether you are likely to be an RA, you may request this information from the appropriate party within 10 days of determining that this information is needed. Once you have received the information, you have 10 business days to determine whether you are likely to be an RA.

When the parties that are likely to be RAs and expert departments have been identified, they should discuss how the conduct of the comprehensive study will be co-ordinated One of the RAs may be designated as the lead RA, or the RAs may coordinate their assessment in a team or working group structure. The responsibility to determine the manner in which to ultimately proceed lies with the identified RAs. However, if so desired or in the case of disagreement, the Agency can advise RAs on how to proceed (ss.12 (2)).

A supplementary guide entitled *Process Advice for the Participation of Federal Authorities in an Environmental Assessment* has been prepared by the Agency. It can assist in identifying other RAs which may have an interest in the environmental assessment of a project. In addition, the guide offers advice on determining the respective roles and responsibilities of multiple RAs in the conduct of EAs (see Appendix for details).

STEP 1.5: INVOLVING EXPERT FEDERAL AUTHORITIES

RAs are responsible for ensuring that their comprehensive study report is scientifically and technically sound. To do so, advice should be sought prior to and during the preparation of the comprehensive study report. Obtaining a sufficiently broad range of expert input will, in the majority of cases, require that the RA obtains more than in-house advice.

Significant information and expertise on issues that must be addressed in a comprehensive study already exist in many federal departments and agencies. Expert federal authorities represent an important source of information and knowledge for an RA conducting a comprehensive study.

Expert federal authorities also have a second, important function. By providing information and knowledge and by reviewing issues discussed in the comprehensive study report, expert federal authorities can help ensure the scientific and technical accuracy of the comprehensive study.

Specialist information and knowledge should also be solicited from other sources, including provincial, local and aboriginal governments, as well as independent experts in universities or the private sector. Including an external review of the comprehensive study report will not only increase the technical and scientific accuracy of the study, but will also strengthen public confidence in the environmental assessment process. For assistance in seeking out appropriate expert advice, RAs may wish to consult the Agency.

STEP 1.6: HARMONIZING WITH OTHER JURISDICTIONS

A key question in the early planning stages of an environmental assessment is to identify whether the project is subject to more than one environmental assessment process (e.g. provincial, Native and federal). Without close cooperation, a project might be subject to separate environmental assessments, resulting in unnecessary duplication, confusion, and excessive costs to all parties.

Harmonization of Canada's various environmental assessment processes is essential if the environmental effects of projects are to be assessed in an effective manner across the country. Harmonization also benefits private-sector decision makers carrying out EAs by streamlining regulatory approval processes and reducing planning uncertainties and delays. As such, when projects requiring a comprehensive study are also subject to assessment within another jurisdiction, activities should, to the extent that this is possible, be coordinated in order to avoid unnecessary duplication and delays. For information regarding joint assessment procedures in each province, please contact the appropriate regional Agency office. For information regarding any other jurisdiction, please contact the Agency's central office.

STEP 1.7: MAKING USE OF PREVIOUS ENVIRONMENTAL ASSESSMENTS

On occasion, proposed projects may have been previously assessed. These include previously assessed projects:

- which did not proceed after an assessment was performed; or
- for which changes are being proposed (e.g. changes such as decommissioning of or major modifications to a project).

In such cases, the documentation from the previous environmental review may be used to whatever extent the RA sees fit to complete the current comprehensive study (s. 24). However, the RA must ensure that adjustments are made to the previous environmental assessment so as to take into account any changes in the circumstances of the project and/or any significant changes in the environment, including cumulative environmental effects.

STEP 1.8: DETERMINING THE ROLES OF THE RESPONSIBLE AUTHORITY AND PROPONENT

For any given project requiring assessment, RAs must ensure that a comprehensive study is conducted (s. 21) if the proposed project is described in the *Comprehensive Study List Regulations*, and must also ensure that a comprehensive study report is prepared and submitted to the Minister and the Agency. If the RA is the project proponent, it will be actively involved throughout the comprehensive study process. However, in cases where the RA is not the proponent, the respective roles and responsibilities should be clearly defined. Activities should be coordinated with provincial requirements where a joint assessment is undertaken.

The responsible authority must:

- determine, where there are two or more responsible authorities in relation to a project, the manner in which to coordinate its duties and functions under the Act with other RAs (ss. 12(1) and the *Federal Co-ordination Regulations*);
- ensure that all relevant federal expert departments have been consulted (the *Federal Co-ordination Regulations)*
- for projects described on the comprehensive study list, ensure that a comprehensive study is conducted as early as practicable in the planning stages and before irrevocable decisions are made (ss. 11(1));
- not exercise any power or perform any duty or function which may allow the project to proceed until completion of the comprehensive study or public review (ss. 11(2));
- establish and maintain the public registry (s. 55);
- determine whether the project or a component of the project has been previously assessed (s. 24);
- determine the scope of the environmental assessment (s. 15 and s. 16);
- determine the significance of the effects of the project (paragraph 16(1)b);
- ensure that a comprehensive study report is prepared and submitted to the Minister and the Agency (s. 21);
- make a decision on whether or not the project may proceed, taking into account the Minister's recommendations (s. 37);
- provide public notice of its course of action (paragraph 37(3)(a) and ss. 38(2));
- ensure that for any project that is proceeding, all appropriate mitigation measures are implemented (paragraph 16(1)d); and
- ensure that, when appropriate, a follow-up program is developed and implemented (s. 38).

The responsible authority may:

- delegate the conduct of the comprehensive study and the preparation of the comprehensive study report (s. 17);
- request that the Minister refer the project for a public review through mediation or a panel review (ss. 21(b)); and
- coordinate with provincial or other environmental assessment processes in situations where another jurisdiction has the responsibility or authority to conduct an EA on the same project (in whole or in part) (ss. 12(4)).

The responsible authority should:

- provide an opportunity for public consultation during preparation of the report; and
- ensure that scientific and technical issues identified in the comprehensive study are reviewed and addressed by experts.

The proponent:

- provides information regarding the proposed project including a detailed description of its phases, schedules and assessment considerations;
- provides input to help establish realistic time frames for the assessment and approval processes;
- conducts an environmental assessment of the project which considers factors specified in the project-specific guidelines, and in the case of joint assessments, the requirements of other jurisdiction(s);
- prepares environmental assessment documents;
- prepares the comprehensive study report;
- consults the public and key stakeholders such as provincial and municipal governments, aboriginal peoples and environmental groups, and ensures that concerns with respect to environmental effects of the project receive appropriate attention;
- provides input to the public notice plan developed by the Agency;
- ensures that scientific and technical issues identified in the comprehensive study are reviewed and addressed;
- responds to issues identified through the review of comprehensive study documents;
- participates in the resolution of disagreements that might otherwise require that the project be rejected or referred for further assessment by a review panel or mediator;
- implements mitigation measures and participates in monitoring and follow-up programs, if it is determined that the project can proceed; and
- participates in the review by a mediator or an environmental assessment panel, if it is determined that further assessment is necessary.

** in situations where the proponent is not the RA, the above activities should be undertaken in consultation with the RA.*

STEP 1.9: DESIGNING A PUBLIC INVOLVEMENT PLAN

Public involvement plays an important role at all stages of a comprehensive study.

The public is not a single entity, but rather comprises varied interests such as those of local residents, community groups, environmental groups, aboriginal peoples, the private sector, municipal and regional governments, and many others. A public involvement plan should recognize all interested publics and provide for various means to receive their input.

A public involvement program goes beyond allowing the public to comment on a completed comprehensive study report. Rather, it seeks to provide the public with a variety of opportunities to be informed at all stages of the comprehensive study, to offer ideas and information, to react to proposals in order to influence recommendations and decisions, and to be informed of all decisions.

Although there is no specific requirement in the Act to consult the public during the preparation of a comprehensive study, the intent of the Act clearly supports the principle of early and meaningful public consultation. Early, well-conducted consultations will likely result in a shorter review and commentary period later on in the process.

Communication needs will change over the course of a comprehensive study. The responsible authority (or proponent) may need to:

- provide information through community meetings or various media so that the public can be informed and participate effectively;
- receive information and comments from the public;
- discuss issues and clarify positions and concerns with the public;
- build consensus among key groups or individuals particularly affected by the project; and
- inform participants of results and decisions.

For more information on the requirements of the Act and on the development of an effective public involvement program, refer to Appendix B.

STEP 1.10: ESTABLISHING THE PUBLIC REGISTRY

The Act is based, to a large extent, on the principle of public participation. To help realize this, public access to information upon which environmental assessments are based is provided through a public registry system.

Obligations

The Act imposes two main obligations on responsible authorities with respect to the public registry (s. 55):

- establishing a public registry for the purpose of facilitating public access to the records relating to the comprehensive study; and
- operating such registry in a manner to ensure convenient public access.

A public registry must be maintained in respect of every project for which a comprehensive study is conducted. It should be established at the outset of the environmental assessment and updated on a regular basis.

The public registry system framework consists of three components:

- the federal environmental assessment index;
- document listings of the responsible authority; and
- environmental assessment documents (registry).

"The Public Registry" reference guide provides details on the organization of the public registry system, as well as guidelines in five key areas (see Appendix H for details on how to obtain a copy of this guide):

- coordination with other responsible authorities;
- document clearing;
- responding to requests;
- cost recovery; and
- official language considerations.

The responsible authority should be aware of the public registry obligations. Questions should be directed to the responsible authority's departmental specialist or the Agency.

The responsible authority should note that the public registry system is only one component of a public information program. It does not replace the need to prepare and implement a public involvement plan.

PHASE 2: THE COMPREHENSIVE STUDY REPORT

STEP 2.1: SCOPING THE COMPREHENSIVE STUDY

It is up to the responsible authorities to determine the scope of the project (s.15), and the scope of the factors to be taken into consideration during the comprehensive study (ss. 16(1), ss.16(2) and ss 16(3)). The *Federal Co-ordination Regulations* require that the RAs and expert departments together determine the scope of the project, the factors to be considered and the scope of the factors. The best practice is for federal authorities to agree on one scope that satisfies all their EA responsibilities. However, this is not a legal requirement.

It is highly recommended that the scoping exercise be undertaken in consultation with the proponent, stakeholders groups, expert departments and the Agency. Scoping sessions should be held as early as possible in the process. The success of the environmental assessment process will often depend on how well this step is undertaken. The scoping exercise sets the parameters for the comprehensive study and provides a rationale for the design of the studies which may be required.

1. Scope of the project

Scoping of the project involves identifying the components of the proposed undertaking or activity which should be considered part of the project for the purposes of the comprehensive study.

A paper entitled "Scope of an Environmental Assessment under the *Canadian Environmental Assessment Act*" has been prepared by the Agency to promote consistency in the scoping process undertaken by responsible authorities and to reduce the risk of including inappropriate components in the environmental assessment or excluding components which should be assessed. The first section of this paper discusses how to proceed in determining the scope of the project. (See Appendix H for information on how to obtain a copy of this guide).

2. Scope of the factors to be considered in a comprehensive study

Every comprehensive study must include a consideration of all factors described in s.16 of the Act, including any environmental effects which the project may have on any areas falling within federal or provincial jurisdiction.

Moreover, any additional factors relevant to the assessment of the environmental effects of the project that any other federal law or regulation requires or permits the responsible authority to consider, can be included.

Section 16 of the Act

In accordance with Section 16 of the Act, the following factors must be considered in a comprehensive study (ss.16(1) and ss.16(2)):

- environmental effects of the project, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects;
- significance of the effects;
- public comments;
- mitigation measures;
- purpose of the project;
- alternative means of carrying out the project;
- need for and the requirements of any follow-up program;
- sustainability of renewable resources; and
- any matter relevant to the comprehensive study that the Minister or responsible authority may require to be considered.

For details on what should be included for each of these factors, consult Appendix C (Suggested Content for a Comprehensive Study Report).

The Act also requires that the responsible authority shall determine the scope of the following factors (ss.16(3)):

- environmental effects of the project (including cumulative effects and accidents) (paragraph 16(1)(a));
- significance of the effects (paragraph 16(1)(b));
- mitigation measures (paragraph 16(1)(d));
- alternative means of carrying out the project (paragraph 16(2)(b));
- follow-up program (paragraph 16(2)(c)); and
- capacity of renewable resources (paragraph 16(2)(d)).

Limits in time and resources make it impractical for an environmental assessment to address all the potential environmental effects of a project or to study all of the alternative means of carrying out a project to the same level of detail. Scoping will identify, from a broad range of potential problems, a number of priority issues to be addressed in the environmental assessment. The scoping exercise should improve the efficiency in which the comprehensive study will be conducted and result in a report focused on issues identified as important by the public and experts.

Social, economic and ecological criteria are often used to provide a focus for the environmental assessment. For example, the public may have a great concern for species of animals or plants which are rare or endangered, or which are considered important for subsistence, or scientific, commercial or recreational use. After identifying such valued ecosystem components, the responsible authority needs to define the spatial and temporal boundaries for assessing each component, and must determine the appropriate level of effort attributed to each of the components in the comprehensive study.

The methods for scoping factors can be developed or selected by the responsible authority. For additional information on the scoping of factors, please refer to the guide entitled "Scope of an Environmental Assessment under the *Canadian Environmental Assessment Act*." (See Appendix H for details on how to obtain a copy of this guide)

STEP 2.2: ENSURING THE COMPREHENSIVE STUDY IS CONDUCTED

The responsible authority may undertake the comprehensive study directly or delegate all or part of it to a consultant, to another federal authority or to the project proponent. However, the responsible authority may not delegate its decision-making responsibility (s.17).

In most cases, the environmental assessment will be conducted by the proponent and its consultants according to the project-specific guidelines (resulting from the scoping exercise) prepared by the responsible authority in consultation with other interested parties.

Project-specific guidelines can serve to outline all relevant factors and issues identified during the scoping exercise. In addition, such guidelines can establish from the onset, the structure and/or format of the comprehensive study report, which can help facilitate the review of the comprehensive study report by increasing its clarity, organization and logical flow.

Throughout the environmental assessment, the proponent and responsible authority should work closely together to ensure that the assessment meets the requirements of the project-specific guidelines as well as the requirements of the Act.

STEP 2.3: PREPARING A FIRST DRAFT OF THE COMPREHENSIVE STUDY REPORT

The comprehensive study report must provide the responsible authority, and ultimately the Minister of the Environment, with the information necessary to decide whether the potential adverse environmental effects associated with the proposed project are significant. In doing so, the report should document the planning process and how conclusions and recommendations with respect to s.15 and s.16 of the Act have been developed.

The report must demonstrate how both the potential adverse environmental effects and related stakeholder concerns are being addressed so that decision makers can determine whether residual effects are acceptable.

The comprehensive study report should be kept concise and well-organized. The report should only contain information directly relevant to environmental assessment decisions. Background and supplementary details, as far as possible, should be provided in supporting documents that accompany the comprehensive study report.

Supporting documents should include any background or supplementary information that assists reviewers and decision makers to better understand and evaluate the comprehensive study. These documents may include additional details about the project, the existing environment, scientific and engineering studies, reference materials such as government regulations, policies and guidelines applicable to the project, and result of public consultation.

The following titles may be used as a framework for the development of the comprehensive study report. For details on what should be included in each of these sections please refer to Appendix C.

1: Executive Summary
2: Introduction
3: Project Description and Purpose
4: Alternatives
5: Scope of Assessment
6: Public Consultation Program
7: Description of the Existing Environment
8: Predicted Environmental Effects of the Proposed Project
9: Mitigation Measures
10: Determination of Significance
11: Follow-up Program
12: Conclusion and Recommendations
13: Appendices

As with the conduct of the comprehensive study, the RA can delegate the preparation of the first draft of the comprehensive study report to the proponent.

STEP 2.4: REVIEWING THE COMPREHENSIVE STUDY REPORT

The draft report prepared by the proponent should now be reviewed by the responsible authority (and other jurisdictions when applicable), who will ensure that the report meets the project-specific guidelines for the project. If information is missing, the responsible authority may request additional information from the proponent.

The responsible authority should ensure that the report has been reviewed for scientific and technical accuracy. Specialist information and knowledge can be solicited from expert federal authorities, provincial, local and aboriginal governments, and/or from independent experts in universities or from the private sector.

The responsible authority is encouraged to involve identified stakeholders in the review of the report prior to the submission of the report to the Agency and the Minister.

To ensure the efficiency of the comprehensive study process, it is recommended that the responsible authority forward comprehensive study documentation in draft form for the preliminary Agency review, prior to its formal transmittal to the Agency and the Minister.

STEP 2.5: FINALIZING AND TRANSMITTING THE COMPREHENSIVE STUDY REPORT

Having taken into account comments from the expert federal authorities or other experts and comments from the public, the responsible authority will now finalize the comprehensive study report.

The comprehensive study report presents the responsible authority's views regarding the comprehensive study and the project. Although the proponent or other parties may prepare the report, the responsible authority must fully agree with its content before it is submitted to the Agency and the Minister.

Under the Act, the responsible authority must ensure that the comprehensive study report is prepared and provided to the Minister of the Environment and the Agency. An example of the letters of transmittal to the Agency and the Minister is contained in Appendix D. If more than one responsible authority is involved in the project, the report should be jointly submitted to the Agency and to the Minister by all responsible authorities.

The *Federal Co-ordination Regulations* require that the following be collected and submitted with or as part of the comprehensive study report:

- the responses to the notifications sent out under section 5 of the regulations; and
- written confirmation from all the RAs that the factors agreed upon in section 8 have been considered and the EA report is complete.

It is in the interest of the proponent and the responsible authority to resolve all outstanding issues before the comprehensive study report is submitted to the Agency. If this is not possible, all outstanding issues should be itemized, and the proponent and/or responsible authority should state how it intends to address these issues. The responsible authority should determine whether the issues have been adequately addressed or whether they warrant further review by means of a panel review or mediation.

A minimum of two copies of the final report should be provided to the Agency for review. As well, the submission of an electronic copy of the report could expedite the Agency's review of the comprehensive study report.

The Agency will strive to provide the responsible authority with a determination by the Minister within 60 days of the submission of the final comprehensive study report to the Agency. During this period, the documentation will be reviewed and distributed by the Agency, and studied and commented upon by the public, usually for a period of at least 30 days. The Agency will receive and analyze the public comments and will prepare recommendations on a course of action. The recommendations will be forwarded to the Minister who will make a determination on the need for further assessment.

To meet this time frame, it is essential for Agency staff to be kept informed of progress on the assessment, and for the comprehensive study report to meet the requirements of the Act. To achieve this objective, it is advisable that the Agency staff have an opportunity to review the final draft of the comprehensive study report before its official submission. It is also important that, as much as possible, consequential differences of opinion among stakeholders regarding the assessment and environmental issues be addressed before the documentation is submitted for Ministerial consideration.

It is sufficient to forward the final report to the Agency only, as the Agency ultimately forwards the report and its recommendations to the Minister. However, it is necessary for the RA to submit a letter to the Minister stating that the report has been completed and forwarded to the Agency, and that a decision is required.

So as to avoid delays in the decision-making process, the letter to the Minister should be forwarded at the same time the report (and its own accompanying transmittal letter) is forwarded to the Agency for review.

PHASE 3: REVIEW OF THE COMPREHENSIVE STUDY REPORT AND MINISTERIAL DECISIONS

STEP 3.1: REVIEW OF THE COMPREHENSIVE STUDY REPORT BY THE AGENCY

While responsible authorities must ensure that comprehensive study reports are prepared, the Agency is responsible for reviewing such reports to confirm that the information meets the requirements of the Act, that appropriate input has been received from key participants, and that issues or problems needing to be resolved before the comprehensive study reports are released, are correctly identified. In its review, the Agency can help identify and correct major omissions or deficiencies before seeking public input, which can help reduce the risk of projects being rejected or referred for further assessment simply because of inadequacies in the documentation.

Objectives of the Agency's Review

The Agency will:

- verify that the comprehensive study report complies with the Act, and relevant regulations under the Act, and take into account Agency guidelines such as those concerning scope of project, scope of assessment, cumulative environmental effects, biodiversity and significance;

- determine whether or not relevant stakeholders and expert federal authorities have been consulted and if any concerns raised regarding the comprehensive study and its findings remain outstanding;

- confirm that sufficient information is available for the public to evaluate whether the comprehensive study conclusions and recommendations are consistent with the comprehensive study findings; and

- gain an adequate understanding of the project assessment in order to:

    - summarize comments received from the public and other parties;
    - facilitate the resolution of disagreements which might otherwise necessitate the project's referral for public review; and
    - formulate suitable recommendations for the Minister's consideration.

Scientific/technical analysis

The Agency does not carry out independent research or in-depth scientific and technical analyses in relation to projects undergoing a comprehensive study. It would not, for example, determine whether the modeling techniques used to predict the dispersion of effluents in groundwater are methodologically sound. Instead, the Agency relies on opinions of federal departments on scientific and technical matters within their respective areas of expertise, and on expert input from other stakeholders.

In reviewing the comprehensive study documentation, the Agency confirms that the principal scientific and technological questions have been identified and adequately scrutinized. To do so, it considers:

a) whether relevant expert federal authorities and other parties with scientific and technical expertise have provided comments;

b) whether expert federal authorities have analyzed the scientific/technical basis of the comprehensive study report. Federal authorities may also focus on policy, program, regulatory or financial implications relevant to their respective mandates;

c) whether scientific/technical issues raised by expert federal authorities and other stakeholders are considered to be resolved or are still outstanding; and

d) whether there are major gaps in the scientific/technical analysis presented in the comprehensive study report.

In addition to reviewing the documentation, the Agency may be called upon to work with the concerned parties in resolving disagreements of a scientific or technical nature, and to brief the Minister on the implications of these issues.

Framework for the Agency Review

A detailed framework has been developed to guide the Agency's analysis of comprehensive study reports and other documents provided by responsible authorities. In most cases, the following areas are considered before the documents are released: background information on the comprehensive study and the preparation of the comprehensive study report, consultations with key parties during the comprehensive study, and an evaluation of the adequacy of the information in the comprehensive study documents. Later, comments received from the public are evaluated. There is an effort to coordinate these activities in the case of joint federal-provincial assessments.

The framework used to guide the Agency's analysis is available for consideration by interested parties. This framework will be of interest to responsible authorities and proponents as it indicates the type and level of information that is expected in comprehensive study reports and supporting documentation. Please contact the Agency for the most recent analysis format.

STEP 3.2: AGENCY WILL COORDINATE THE PUBLIC REVIEW OF THE COMPREHENSIVE STUDY REPORT

Once the Agency receives the comprehensive study report from the responsible authority, it must facilitate public access to the report, publish a notice setting out the date, the place at which copies of the report may be obtained, the deadline and address for filing comments on the conclusions and recommendations of the report.

To meet these obligations, the Agency develops and implements a plan that provides public notice and ensures public access. The plan is developed in close cooperation with the responsible authority and proponent before the Agency receives the comprehensive study report, so that the public notice can be published and copies of the report distributed to designated access points, within one week of receiving it.

Consistent with the principles of a self-directed environmental assessment, the responsible authority will be responsible for the costs associated with the public notice (for example, the costs of translating the report into the appropriate languages and for providing a sufficient number of copies).

In developing the public notice plan, the Agency officer and responsible authority will take into account the location and circumstances of the public likely to have an interest in the environmental assessment. Notice format, language requirements, and public access points will differ from project to project.

Notice format

The circumstance of each comprehensive study will determine how the public should be notified of the opportunity to review and comment on the report. The notice format will be consistent with the scale and nature of the project, and could include:

- a published notice in local or regional newspapers;
- a news release for general distribution to print and electronic media in the community and region;
- public service announcements on radio and television, in all appropriate languages;
- distribution to all those organizations and individuals on the responsible authority's mailing list; and
- public meetings, when necessary.

A sample public notice can be found in Appendix E.

Number of copies of the comprehensive study report required

The Agency encourages the proponent and responsible authority to provide the comprehensive study report in both hard copy and electronic format. The number of copies required for release to the public will depend on the nature and location of the project, the opportunities for and outcomes of any public consultations conducted by the proponent or responsible authority during the comprehensive study, and the availability of the material in electronic format. More copies may be needed, for example, if the project is to be located near a large urban area, or if many interested parties are involved. The responsible authority and proponent should assist in the preparation of a mailing list for distributing the report.

Responsible authorities should consider submitting a summary of the comprehensive study report, as it will likely decrease the number of full reports required for distribution.

Public Comment Period

The Agency has not adopted strict deadlines for the provision of public comments on the report. In most cases, the review and comment period will be 30 to 45 days long. Deadlines will be established by the Agency officer in consultation with the responsible authority, taking into account the scale and complexity of the proposed project, the level of public interest, and the nature and extent of any public consultations held during the preparation of the comprehensive study report.

Designation of public access points

The public access points are determined by the Agency in consultation with the responsible authority, taking into account such factors as

- the location of the project near towns or cities;
- the desirability of a neutral site in the community (such as a town hall or community library);
- the availability of an Agency office in the area;
- the availability of a community information office established by the responsible authority or proponent;
- the need to provide access to the report in a wider region (for example, for a project that has generated considerable public interest beyond the immediate project site, or for a project located in a remote area); and
- the need to ensure convenient access to the report to persons with disabilities.

Language requirements

The public notice will be prepared in both official languages if the project occurs in a region designated as bilingual under the Official Languages Act.

The responsible authority or proponent must provide the comprehensive study report in both official languages if the report is to be released to the public from any of the following:

- the responsible authority's head office, which, as the central office of a federal institution, is designated bilingual under the Official Languages Act (OLA);
- an office or facility located within the National Capital Region; and
- an office or facility located in a region designated as bilingual under the OLA under the Treasury Board's significant demand criterion.

The need for translation of the comprehensive study report and notice into other languages (such as Aboriginal languages) will depend on the location of the project, and can only be determined on a case-by-case basis by the Agency in consultation with the responsible authority.

Public comments

The public notice will invite the public to provide written comments in hard copy or electronic format. The Agency will also provide a copy of the public comments to the responsible authority so that the latter can consider the public comments in determining its course of action and to include the comments in the public registry for the project.

STEP 3.3: REVIEW OF THE PUBLIC COMMENTS

Following the release of the documents for public comment, Agency staff analyze the comments received and, where possible, attempt to facilitate the resolution of disagreements that might otherwise require the project to be referred for assessment by mediation or panel review. Any matters still outstanding may subsequently be taken into account in the Agency's recommendations to the Minister.

STEP 3.4: AGENCY'S RECOMMENDATIONS AND MINISTER'S DECISION

After taking into account comments from the public and other stakeholders, and the information contained in the comprehensive study report and other documents submitted by the responsible authority, the Agency recommends a course of action to the Minister.

The Minister decides on the next step in the environmental assessment process, taking into account the comprehensive study report and any comments received on the report. One of two courses of action is possible (s.23) :

1. The Minister will refer the project back to the responsible authority for action if, taking into account appropriate mitigation measures:

    - the project is not likely to cause significant adverse environmental effects and public concerns do not warrant a public review; or

    - the project is likely to cause significant adverse environmental effects that cannot be justified; or

2. The Minister will refer the project to a mediator or review panel if, again taking into account appropriate mitigation measures:

    - it is uncertain whether the project is likely to cause significant adverse environmental effects;

    - the project is likely to cause significant adverse environmental effects and a determination must be made whether these effects are justified in the circumstances; or

    - public concerns warrant the referral.

The Minister will provide the responsible authority with a written statement of the course of action taken.

STEP 3.5: RESPONSIBLE AUTHORITY'S DECISION AND ACTIONS

If the Minister refers the project to a public review, then neither the responsible authority nor any other federal authority may provide federal support to the project until the public review is completed.

However, if the Minister refers the project back to the responsible authority, the responsible authority may exercise any power or perform any duty or function that would permit the project to be carried out in whole or in part. The responsible authority will also be responsible to ensure that mitigation measures referred to in the comprehensive study report are implemented.

Post-decisional Activity

The final step in the self-directed environmental assessment process addresses the responsible authority's obligations following completion of the comprehensive study report and its determination about whether to provide federal support to the project. These obligations fall into three general categories:

1) provide public notice about the course of action that the responsible authority intends to take;
2) decide whether a follow-up program is appropriate: and
3) ensure the implementation of appropriate mitigation measures.

The responsible authority must provide public notice regarding its course of action, regardless of whether or not it determines that it may provide federal support to the project.

If it does not provide federal support, the responsible authority must file a notice of that course of action in the public registry. If it does provide federal support, the responsible authority must advise the public of :

- the responsible authority's course of action;
- any mitigation measures to be implemented with respect to the project's adverse environmental effects;
- any follow-up program that is implemented; and
- any results of the follow-up program.

The method of public notice should be appropriate to the circumstances of the project and reflect the public involvement effort that has been undertaken. Examples include newspaper advertisements, news releases, community bulletin boards, and meetings with stakeholders and the public. All documents should be included in the public registry.

Implementation of mitigation measures

When the responsible authority decides to exercise any power or perform any duty or function that will permit a project to be carried out, it must ensure that all the mitigation measures referred to in its decision (paragraph 37(1)(a)) are implemented.

Implementation of the follow-up program

Where a responsible authority permits a project to be carried out, it should design a follow-up program that it considers appropriate and arrange for the implementation of that program.

For additional information on a follow-up program, please refer to Appendix C.

Appendix A

Agency Contacts for Information Concerning Comprehensive Studies

CEAA Regional Offices

VANCOUVER OFFICE
757 West Hastings Street, Suite 320
Sinclair Centre
Vancouver, B.C.
V6C 1A1

SCOTT, Paul	(604) 666-6989
Fax	(604) 666-6990
Modem	(604) 666-6364

EDMONTON OFFICE
Suite 100
Revillon Bldg
10237-104 Street S.W.
Edmonton, Alberta
T5J 1B1

CHRISTIE, Ryerson M.	(403) 422-7704
Fax	(403) 422-0055
Cellular	(403) 975-6111

HALIFAX OFFICE
1791 Barrington Street, Suite 1030
TD Centre
Halifax, Nova Scotia
B3J 3L1

COULTER, William	(902) 426-6623
Fax	(902) 426-6550
Cellular	(902) 471-4032

WINNIPEG OFFICE
123 Main Street, Suite 263
Winnipeg, Manitoba
R3C 4W2

McNAUGHTON, Dan	(204) 984-2457
Fax	(204) 983-7174
Cellular	(204) 227-0154

QUEBEC OFFICE
200 Sacré-Coeur Blvd.
Fontaine Building
Hull, Quebec
K1A 0H3

BOURGON, Michel	(819) 997-2213
Fax	(819) 994-1469
Modem	(819) 994-0399

ONTARIO OFFICE
200 Sacré-Coeur Blvd.
Fontaine Building
Hull, Quebec
K1A 0H3

RIVERIN, Guy	(819) 997-2244
Fax	(819) 994-1469

Comprehensive Study Team

MAIN OFFICE
200 Sacré-Coeur Blvd.
Fontaine Building
Hull, Quebec
K1A 0H3

PARKER, Brad	(819) 953-5044
THERRIEN, Marie-France	(819) 953-2537
McCAULEY, John	(819) 994-3159
LAFLECHE, Louise	(819) 953-4128
Fax	(819) 994-1469

Appendix B

Public Involvement

Public involvement is a process for identifying and incorporating public concerns and values into a decision. It provides an opportunity for all parties interested in or affected by a decision to contribute and influence that decision. The fundamental feature of public involvement is two-way communication. That is, it goes beyond simply providing information to the public: there must be an opportunity for the public to provide information back to the decision-maker.

Just as there is no single public, but rather a diverse range of interests and organizations, there is also no single public involvement process. Public involvement can range, depending on circumstances, from relatively straightforward exchanges of information, to more complex approaches involving consultation, consensus-building, and mediation.

Requirements of the Act

Public involvement is a central element of the *Canadian Environmental Assessment Act* (the Act). The importance and function of public involvement is cited in both the preamble and purpose of the Act:

> *...Whereas the Government of Canada is committed to facilitating public participation in the environmental assessment of projects to be carried out by or with the approval or assistance of the Government of Canada and providing access to the information on which those environmental assessments are based;...*

and

> *The purposes of this Act are...*
> *(d) to ensure that there be an opportunity for public participation in the environmental assessment process.*

Public concerns play an important role under the Act. Following a comprehensive study, the Minister of Environment, with advice from the Agency, makes the determination on whether public concerns justify a referral to a panel or mediation.

The legal requirements of the Act regarding public participation for comprehensive studies are as follows:

- every comprehensive study of a project shall take into consideration... comments from the public... (paragraph 16(1)c))

- regarding public notice... the Agency shall, in any manner it considers appropriate to facilitate public access to the report, publish a notice setting out the following information.... (ss.22(1)).

- regarding public concern... any person may file comments with the Agency relating to the conclusions and recommendations and any other aspect of the comprehensive study report (ss. 22(2))... The Minister shall take one of the following courses of action in respect of a project after taking into consideration the comprehensive study report and any comments filed pursuant to subsection 22(2):.... (s.23).

- regarding follow-up... a responsible authority shall, in accordance with any regulations made for that purpose, advise the public of:

    - its course of action...;
    - any mitigation measures to be implemented;
    - any follow-up program designed; and
    - any results of a follow-up program (s.38(2)).

Benefits of public involvement

Public involvement can strengthen the quality and credibility of environmental assessments in several ways:

- Through the involvement of interested parties, decision-makers can, at an early stage, identify and address concerns that people have about a project. They can better understand the factors, issues or choices that are important to people likely to be affected by the decision.

- The public can be an important source of local and traditional knowledge about a project's physical site and likely environmental effects. A public involvement program can help ensure that such information contributes to the decision.

- People often need to be informed of potential actions and consequences before they can provide input into a decision. Public involvement techniques can help build this awareness and understanding, and help identify options or alternatives that are likely to meet with community approval.

- At times, decision-makers must find a consensus among different or opposing interests. A public involvement program can help develop the credibility and trust in the decision-making process that is needed for such a consensus.

- Over time, a visible commitment to effective public involvement can help build a sense of public trust and credibility in the responsible authority's decisions, and reduce the possibility that public concerns will lead to costly delays in project approvals and implementation.

The result of an effective public involvement program will be better decisions by the responsible authority -- decisions that are made with a full understanding of public concerns and that are, in turn, better understood and trusted by the people affected by them.

Public involvement components led by the proponent and responsible authority

Although there is no specific requirement in the Act to consult the public during the preparation of a comprehensive study, the spirit of the Act clearly supports the principle of early and meaningful public consultation. There are sound reasons for having the public involved from the beginning of a comprehensive study, particularly for potentially controversial projects, as such involvement results in a better designed and a more publicly accepted project.

Public participation in a comprehensive study may be valuable during:

- scoping and the identification of issues;
- data collection for socioeconomic issues (economic, social, cultural, resource use, attitudes and perceptions, local community effects);
- preliminary analysis and assessment of significance;
- review and finalization of assessment;
- suggestions for mitigation measures.

Advisory guidelines

Advisory guidelines can provide a common understanding of the roles and responsibilities of all participants involved in a public involvement initiative under the Act. Guidelines can also clarify expectation of participants at the outset, and provide a standard against which to evaluate performance.

The following advisory guidelines intended for public involvement should apply to the responsible authorities, proponents, stakeholders and other interested organizations and individuals involved in a comprehensive study.

1) Clarifying the scope of public involvement

The scope of public involvement can vary from one environmental assessment to another. Responsible authorities should clearly identify, at the outset of the environmental assessment, the decision it must make, the objectives of its public involvement program, and the issues that are open to public input and those that are not.

Whenever appropriate, responsible authorities should consult with stakeholders and other interested members of the public about how they want to be involved, to ensure community needs and preferences are addressed.

The responsible authority should then convey information on the specific opportunities for public involvement throughout the environmental assessment process, and on any constraints under which it may be operating.

2) Early involvement

The benefits of public involvement cannot be achieved by means of a simple public notice-and-comment period once an environmental assessment report is completed. Whenever appropriate or possible, responsible authorities should involve the public early, so that public concerns can be identified and addressed as part of the self-directed environmental assessment process, rather than after the fact in a panel review or mediation.

Early involvement of the public will be particularly important in the case of comprehensive studies, which will be conducted for large-scale, complex projects that in the past would likely have been reviewed by a public review panel.

3) Appropriate scale

The public involvement program should be appropriate for the scale and complexity of the comprehensive study.

A long-term, extensive public involvement program will likely be required for the large industrial and resource development projects that call for a comprehensive study. Specialist input to the development of such a program is advised.

4) Flexibility

Public involvement must be a flexible process, adapting to the particular set of environmental issues and public concerns relevant to the comprehensive study. Relatively rigid, and standardized approaches to public involvement may not be able to accommodate these issues and concerns. There is no "single best" public involvement technique, no standard set of techniques that make up a public involvement program.

Responsible authorities are encouraged to design and implement public involvement programs that match the needs and circumstances of the environmental assessment, and that reflect the needs and expressed preferences of stakeholders and other members of the public.

At the same time, responsible authorities, stakeholders and other participants should recognize that public involvement is a dynamic process and should be willing to revise public involvement plans when necessary.

5) *Accountability*

Participants in a public involvement process should be accountable for their actions. Responsible authorities should ensure and demonstrate that the public involvement process is directly linked to the decision-making process. Stakeholders should report back to their constituents in a fair and accurate manner and follow through on any negotiated commitments.

6) Timeliness

In developing a public involvement program, responsible authorities should ensure that members of the public have adequate time in which to review information and provide meaningful input into the environmental assessment process.

7) Reporting on decisions

Stakeholders and other members of the public involved in an environmental assessment should recognize that the responsible authority remains accountable under the Act for making a decision on whether to proceed with the proposed project.

Responsible authorities should explain the decision to the public, clearly demonstrating how the results of the public involvement program have been used in arriving at the decision or explaining why the results have not been incorporated in the decision.

Other considerations

Shared process: Public involvement is a shared process, and no one group can claim ownership of it. All participants should demonstrate a commitment to working with the process once it is under way, even if it is not producing the immediate results that one group or another would like to see. All participants should commit themselves to sharing information on a timely basis, so that they can act on the basis of a full understanding of the information and on the views of other participants.

Mutual respect: Public involvement programs will often bring together people representing a wide range of perspectives and opinions. The public involvement process should be conducted in an atmosphere of mutual respect. All participants should demonstrate respect for other participants and for the process by, for example, acting honestly and ethically, declaring their own interests and perspectives, and respecting other perspectives, values and cultures.

Commitment to the process: Responsible authorities should consider public involvement an ongoing process and part of the way in which they do business, rather than a single event or program associated with a particular screening or comprehensive study. Responsible authorities should demonstrate a commitment to strengthening their public involvement approaches by evaluating their public involvement programs and by seeking feedback from stakeholder groups and other members of the public on an ongoing basis.

Addressing public concerns

Given the potential that public concerns may trigger a panel review or mediation, the responsible authority should take the appropriate steps, in a comprehensive study, to identify and address public concerns.

A public involvement program will allow a responsible authority to: identify the public concerns related to the project; address them when conducting the comprehensive study; determine whether the public concerns about the project warrant further investigation by means of a panel review or mediation.

Under the Act, public concerns must be related to the likely environmental effects of the proposed project. They can be expressed in different ways and from different sources:

- through a public involvement program conducted as part of the comprehensive study;
- from public comments on the comprehensive study report received by the Agency during the public review and comment period (or on the screening report, if the responsible authority has made it available for comment);
- from other activities or information that may be legitimate sources or reflections of public concerns (such as letters to the Minister, media coverage and public meetings held by community groups); and
- through direct, personal and informal communications to the responsible authority.

The responsible authority should address public concerns in the comprehensive study report, and determine whether they have been adequately addressed or whether they warrant further review by means of a panel or mediation.

Public concerns can trigger the need for a public review in one of two ways:

- the questions and issues raised by the public brings into question the scientific or technical soundness of the report's analysis and conclusions; and
- they deal with broader questions of public values that require further investigation than what was possible in the comprehensive study.

Public comments on the scientific or technical soundness of the report could include, for example, the identification of gaps in the information and analysis, the provision of new information and traditional ecological knowledge related to baseline conditions, the environmental effects, or the adequacy of proposed mitigation measures, and the identification of new alternatives or new mitigation measures.

Responsible authorities should not necessarily rely on numbers alone when judging the importance of public concerns. Even a few letters or telephone calls may reflect serious public concerns if they are from the people who will likely be most affected by the project.

The Point Aconi decision of the Federal Court of Canada has provided guidance to responsible authorities in using their discretionary powers in response to public concerns. (Cantwell and others v. Minister of the Environment and others (1991), 41 F.T.R. 18). In reviewing a decision by a federal Minister not to refer a project to a review panel, the Court noted factors that are likely to be relevant and irrelevant in deciding whether public concerns warrant a referral to a mediator or panel.

As a general guide, the Court stated that discretion by the responsible authority must be exercised reasonably and in good faith, taking into account relevant considerations (and) having regard to the purposes of the legislation.

Relevant factors identified in the Court's decision included:

- the level and extent of public concern about the project;
- the general conclusion of the environmental assessment that expressly refers to public concerns;
- the evidence of widespread public concern about the project and interest in a public review, as reflected in the environmental assessment report and other documents;
- advice to the Minister that environmental effects over which members of the public have expressed concern are considered to be insignificant or mitigable with known technology; and
- lack of likely effectiveness of a panel in recommending changes in the project that would address concerns expressed by the public.

Factors that were found to be irrelevant in determining the need for an referral to a public review panel included:

- considerations of expediency or practicality;
- the fact that construction had begun on the project; and
- the fact that a provincial government, having concluded its own assessment, would be unlikely to agree to participate in a public review.

Evaluation of public concerns by the Agency

In designing a public involvement program for a comprehensive study, the responsible authority should be aware of the criteria that the Agency will use in evaluating public concerns when it reviews the completed comprehensive study report and prepares its recommendation to the Minister.

In determining whether public concerns warrant further investigation by means of a panel review or mediation, the Agency will consider how effective the responsible authority's efforts were in obtaining a full and accurate view of the public concerns associated with the project, and how well the report incorporates and addresses these concerns. The Agency will consider, for example, whether the responsible authority:

- conducted a public involvement program in accordance with the principles outlined in the advisory guidelines (above);
- heard from members of the public most likely to be directly affected by the project;
- provided a variety of opportunities for members of the public to participate and provide input; or
- adequately addressed public concerns in the comprehensive study report, or whether the comments raised new substantive issues.

Public involvement techniques

Responsible authorities should be aware of three key factors when considering a public involvement program:

- Communication needs change over the course of an environmental assessment. At the start, the responsible authority may need to share background information and its proposals for public involvement. Later, the responsible authority may need to obtain information from the public or gain a better understanding of community values and perspectives. There may also be a need to seek reaction to options, or explain decisions and follow up on commitments.
- The public actually consists of a wide range of interests. Some may be well-organized and highly visible, and others may be less visible, but nonetheless, an important group to include in the environmental assessment process.
- Techniques should match needs. There is no single best public involvement technique. There are many techniques, and each may be effective in a particular set of circumstances or in response to the preferences of a particular public group.

Involving the public in environmental assessment can range from the distribution of information brochures in affected communities to presentations by project representatives at public hearings. More specific techniques, including public meetings, are listed below under the categories of information dissemination, receiving information from the public, and two-way communication.

Information Dissemination

- reports, brochures, and information bulletins
- mass media (i.e. press releases, radio talk shows, films and videos)
- public information displays and open-houses
- large public meetings with official presentations followed by a question period
- public meetings where panelists offer alternative viewpoints

Receiving information from the public

- interviews
- questionnaires
- letters
- submissions and briefs at public hearings
- informal town meetings
- public meetings with group discussions

Two-way communication

- mediation groups
- advisory groups
- public workshops
- informal small-group meetings

Important features of a public involvement program are:

- ensuring an active and open exchange of information;
- ensuring the public has access to the decision-making process and are sure their opinion counts; and
- demonstrating that decisions taken are consistent with public desires.

Table 1 summarizes the possible objectives and sample techniques involving a self-directed environmental assessment.

Before designing a public involvement program, it is strongly recommended to consult with a specialist in public consultation or to refer to one of the more detailed guides listed at the end of this section.

Public involvement components led by the Agency

Refer to the main document, Phase 3/Step 2 for more information on this subject

Table 1
Involving the public in a self-directed environmental assessment

Stage in the environmental assessment	Objectives	Techniques
Scoping	Consider need for/scope of public involvement	informal communications, interviews
	Identify stakeholders groups	public meetings, open houses, bilateral meetings
	Seek feedback on public involvement program	workshops, open houses, bilateral meetings
	Seek advice on scoping issues	discussion papers, scoping meetings, review and comment period, open houses, stakeholder advisory groups
Conduct environmental assessment	Keep people informed	public registry, news releases
	Seek local and community information and traditional ecological knowledge on environment	bilateral meetings, interviews, briefs, informal community hearings
	Identify public concerns	public meetings, open houses, focus groups, workshops, stakeholders advisory committees
	Seek feedback on options	workshops, stakeholder advisory committees
	Build consensus, if required	stakeholders advisory committees, mediation
Prepare environmental assessment report	Address public concerns in the report and explain objectives and scope of public involvement program	advisory and review committee
Public review and comment	Identify public concerns Obtain feedback on conclusions	public notice and comment period
Decision on project	Explain responsible authority's decision on project and next steps	news releases, open house
	Identify how results of public involvement program were used or, if not, explain why	
Follow-up	Seek information and feedback on follow-up and monitoring aspects of project	open houses, news releases, community advisory committee

Other References

There is considerable experience and expertise in Canada in public involvement, both within governments and in the private sector. Many government departments and industrial associations have established public involvement policies and coordinating units. Training courses are offered by experts in the private sector and in non-governmental organizations. A large body of literature on public involvement has also been developed in recent years.

Responsible authorities are encouraged to consult these resources for more detailed information on designing and implementing public involvement programs for a comprehensive study.

The following resource materials and publications may provide a more detailed orientation to public programs than was possible in this guide:

- *A Proponent's Guide to Public Involvement* (Canadian Standards Association (CSA), Draft, June 16, 1995)
- *Building Consensus for a Sustainable Future: Guiding Principles* (National Round Table on the Environment and Economy, 1993)
- *Consultations and Partnerships: Working Together with Canadians* (Environment Canada, 1992)
- *Consultation: When the Goal is Good Decisions* (Canadian Centre for Management Development, 1992)
- *Citizens' Forum on Canada's Future: Report on the Consultative Process* (Canadian Centre for Management Development, 1992)
- *Public Managers and Policy Communities: Learning to Meet New Challenges* (Canadian Centre for Management Development, 1991)
- *Planning and Implementing Public Involvement Programs* (prepared for the Federal Environment Assessment Review Office, 1988)
- *Public Consultation: A Resource Kit for Ministry Staff* (Environment Ontario, 1988)
- *Public Participation Handbook* (Niagara Institute, n.a.)

Appendix C

Suggested Content for a Comprehensive Study Report

1: Executive Summary

Key points

- What is the project?
- What are the important potential environmental effects?
- What are the mitigations?
- What are the uncertainties and public concerns?

This section should briefly describe the project, indicating the main predicted environmental effects. Practitioners should highlight the key aspects of the project and of the environment affected by the project. The proposed mitigation measures that will render effects insignificant should be tied to the predicted effects. Any public concerns and uncertainties should also be noted.

For most readers, the executive summary will provide the first and most lasting impression of the project's environmental effects. In many cases, this is all that members of the affected public will read. As a result, this section should be clear, complete, concise and to-the-point. Summary tables, graphics and flow charts should be considered as effective ways to present information clearly and accurately. The use of technical terminology and jargon should be avoided as much as possible.

Executive summaries of comprehensive study reports can be presented under separate cover. They may get greater distribution than the rest of the document. The responsible authority should consider the benefits of providing the executive summary in languages most common to the project area.

2: Introduction

Key points

- What is the project?
- Why will the project be carried out?
- Why is the project important? *(optional)*
- How important is the project's timing? *(optional)*
- Why is the assessment required?

Project overview

The proposed project should be briefly described, including location, project components, associated activities, scheduling details, cost, and other key features. In the cases where the project being assessed is part of a larger sequence of projects, the larger context should be outlined and relevant references listed if available. It should also identify the project proponent. The intent of this overview is to provide context rather than description since a more detailed description of the project will follow (below).

Purpose of the project

The proposed project will be designed to achieve certain specific objectives (e.g. in the case of a highway widening project, it will be intended to permit a greater volume of vehicle traffic). The objectives should be adequately described. If the objectives of the project are related to or contribute to broader private or public sector policies, plans or programs, this information should also be included to assist in placing the project's objectives in a broader and more meaningful context.

Need for the project

The comprehensive study report should include this element if there is public concern regarding the proposed project. A description of the need for the project can provide valuable information in support of the proponent's case. The public may not realize why a particular project is important and therefore why particular environmental effects may be justified. This information is also useful to the responsible authority who may be asked to justify environmental effects of the project in relation to economic and social costs and benefits.

Timing considerations

The need for the project may have an important time dimension. For example, if a project is delayed, business opportunities may be foregone and the need for the project diminished. The future demand for products from a development (e.g. a mine) may also be identified here.

Regulatory, policy and planning context

The introduction should clearly identify why the assessment is being carried out, including which triggers have led to the assessment. It should also describe the regulations, acts, policies and plans (e.g. land or resource use) that have a bearing on the project. In the case of projects being assessed under more than one project review process, the different jurisdictions and processes involved should be listed. This information will provide reviewers with an understanding of the context of the environmental assessment and the issues that have been addressed in it.

3: Project Description

In defining the project and describing activities, the comprehensive study report should focus on those project activities that are most likely to lead to environmental effects.

Key points

- What undertakings does the project include?
- What are the activities and when and where will they be carried out?

Definition of the project

This section should begin with a general description of the project. The general description should include the project's background, context and current status. If this project is one in a series of separate projects that together form part of a larger project or development plan, then that relationship should be clearly stated since this will have implications with respect to alternatives, mitigation options and potential cumulative effects.

This overview should include the following:

- a brief descriptive summary of each of the project's undertakings (e.g., construction, operation, decommissioning);
- overall project location and a description of the site location using maps of appropriate scale. The location map should include the boundaries of the proposed site, the major existing infrastructure, adjacent land uses and any important environmental features;
- key project-related technology and processes as appropriate, including information on solid wastes, liquid effluents, gaseous emissions and water consumption, and use of renewable resources; and
- a summary of the project's proposed timing and schedule.

List of activities, their location and schedule

Once the overall definition of the project is established, the specific project activities should be identified and described in greater detail. It is often useful to organize these activities according to undertakings as follows: construction, operation and maintenance, abandonment and decommissioning, as applicable.

This description should include the location of each activity, scheduling details and an indication of the activity's magnitude and scale. Although a complete list of project activities is required, the emphasis should be on those activities that have the greatest potential to create environmental effects. Sufficient information should be included to predict environmental effects and address public concerns about the effects. If activities involve periods of increased environmental disturbance or the release of materials into the environment, these should be highlighted.

It may be difficult to separate project components and activities from mitigations since many mitigation measures are sometimes part of standard practice. Practitioners should include those standard mitigation practices that are applied regardless of location as part of the project description in this section. Those mitigations that are site or project-specific should be included in the section on mitigation.

4: Project Alternatives

Key points

- What are alternative means of carrying out the project?
- What are the alternatives to the project? *(optional)*

The Act identifies two categories of alternatives which can be considered in an environmental assessment. Both are included in these guidelines, but only the first is a general requirement under the Act for comprehensive study reports.

Alternative means of carrying out the project

In any project design, alternative means of carrying out a project are often considered. For example, a road connecting two points can pass over a number of different routes. The comprehensive study report must describe the process taken to select the most appropriate route based on a set of pre-determined criteria. Under the Act, the consideration of these alternatives and the selection criteria used to identify the preferred alternatives must include environmental factors. The information going into that decision and the decision-making process must be documented in the comprehensive study report.

Examining alternative means of carrying out a project involves answering the following three questions:

- What are the alternatives?
- What are the environmental effects associated with each alternative?
- What is the rationale for selecting the preferred alternative?

Alternatives should be listed and described in sufficient detail so that the answers to the second and third questions are apparent to the reader of the report. For example, if "alternative means" refers to site selection for a large hydroelectric dam, the location of each alternative would have to be described, the environmental effects of each alternative defined and the criteria and analysis of site selection presented.

Since the selection of alternatives can involve detailed technical analysis that includes more than just environmental factors, it may be preferable to present the details of this analysis as an appendix and include only the results and summary of this selection process in the body of the report. For example, a table listing the alternatives on one axis, and the criteria, such as reliability, cost, performance, inherent environmental effects and necessary mitigation measures, on the other axis may provide an effective summary.

Regulatory requirements may constrain the alternatives that are feasible or permitted. In some cases, proponents may have consulted with the regulatory authorities to produce the project plan that is being assessed. If this is the case, it should be clearly indicated in the report.

Alternatives to the project (Optional)

When defined in the scope of the assessment under paragraph16(1)(e), the comprehensive study report must include a discussion on whether the project is required, and if so, whether this project is the best way to fulfill these objectives. Examining alternatives to the project involves answering the same three questions that were asked above.

This section is recommended if an analysis of alternatives to the project will assist the Minister and the responsible authority in its determinations. In the case of potentially controversial projects, decision-makers may be asked to respond to public concerns that the project does not represent the best way to achieve its stated objectives. Without documentation and analysis supplied in the comprehensive study report, decision-makers may have insufficient information on which to base their response. In addition, segments of the public may react negatively if they perceive that (1) the report has not considered alternatives to the project, or (2) the preferred alternative is proceeding based on flawed assumptions. Therefore, if controversy is expected surrounding the fundamental reasons for the project, the comprehensive study report should include a discussion of alternatives to the project.

Any examination of the alternatives to the project needs to operate within the realities of the planning situation. If the project is included in a larger strategic planning process such as a land use plan or federal budget, this tends to limit alternatives since a decision at a broader level may have already been made. If this is the case, it should be made clear here.

"Alternative means of carrying out the project" vs. "alternatives to the project"

The analytical approach and presentation for the two classes of alternatives is largely the same. In both cases, alternatives must be identified, information must be collected on each alternative and a selection criterion must be applied to determine a preferred alternative. The selection criteria may include economic, technical, social and environmental factors.

The differences between the two lie in the nature and scope of the alternatives. For "alternative means", the project is considered a given, and only the means of carrying out this project is an issue. Alternative means, for example, include alternative sites, alternative routes and alternative methods for construction, operation or mitigation.

For "alternatives to", the analysis examines and evaluates alternatives to the project itself. For example, alternatives to construction of a nuclear power plant may include thermal power generation using alternative fuels, hydroelectric power generation, and demand-side management since all three options have the potential to produce the necessary electrical capacity needed to fulfill project objectives.

One alternative that should receive special attention is the "no go" alternative. In some planning and policy contexts, this may be the only alternative to the project that can be realistically considered.

5: Scope of the Assessment

Key points

- What is the scope of the project?
- What are the factors to be considered in the assessment?
- What is the scope of the factors?

Scope of the project

The responsible authority will determine what components of the undertaking are considered part of the project for the purpose of the environmental assessment. For reporting purposes, the project scope should be clearly identified at the outset to ensure that confusion does not arise on the part of the proponent, the public, or the decision-makers.

Factors to be considered

1. Environmental effects of the project, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects.
2. The significance of the effects.
3. Public comments.
4. Mitigation measures.
5. Purpose of the project.
6. Alternative means for carrying out the project.
7. The need for and the requirements of any follow-up program.
8. Sustainability of renewable resources.
9. Any matter the Minister or responsible authority may require to be considered, including need for and alternative to the project, and that the responsible authority may require to be considered.

If the responsible authority decides to add factors other than those required by subsections 16(1) and 16(2) it should be clearly stated.

Scope of factors

This section of the report should describe the process by which the environmental focus of the environmental assessment was established.

Experience has shown that the most successful EAs have been those that clearly identified the concerns raised by affected stakeholders, and then proceeded to address these concerns through a combination of information, mitigation and/or monitoring. Sections of the report can be built around these concerns.

Determining the scope of the issues to be investigated and defining the level of effort for the environmental assessment represents one of the most important aspects of the process. Faced with a limited budget, time constraints and complex ecosystems, proponents must provide enough information to enable decision-makers to make informed decisions. This can only be accomplished if (1) the spatial and temporal boundaries for the assessment are well-defined; and (2) effort is focused on the project activities and ecosystem components that are likely to have the greatest relevance to the final environmental assessment decision. Special attention must be paid to documenting cumulative environmental effects and indirect (or secondary) effects since they may strongly affect the overall scope of the assessment.

This section should provide the reviewer with the rationale and the justification for selecting those issues that appear in the report, and for excluding other issues. Challenges may arise regarding particular exclusions, so it is important that the report document both the information and the criteria used to make each scoping determination. Primary data collection, computer modelling, literature references, public consultation, expert input or professional judgement may be valid justifications. This section should not only identify the criteria used to define the scope, but also describe the methodology used to apply these criteria.

Determining the scope of the assessment is an iterative process of focussing and refocussing, each time, using available information to refine the issues being assessed. As the environmental assessment proceeds and information is collected, it may become apparent that certain ecosystem components are not really important to the decision. These can be dropped from further investigation by the proponent provided that sufficient justification is included in the comprehensive study report. Contrarily, if information collected during the environmental assessment identifies new potential concerns, the proponent will be responsible for addressing these since they become an issue later in the review.

For more information on scoping see the main document (Phase 2/Step 1). A guide on this subject is also available (see Appendix H for details).

6: Public Consultation Program

Key points

- How was public input solicited?
- Who was consulted?
- What information came forward from the public consultations?
- How was this information incorporated into the EA process?

This section should describe the public consultation program and its results. It should include a summary of the more detailed discussion of public input found in the appendix to the comprehensive study report (see below).

This section of the report should also describe any planned future consultations, for example to ensure that members of the public are fully informed about the project status and possible environmental effects.

7: Description of the Existing Environment

Key points

- What is the general environmental context?
- What are the environmental components in the study area?
- What are the relationships among environmental components?
- What are the sensitivities to disturbance?
- What are the potential environmental hazards to the project?

There is a tendency in many environmental assessment reports to describe the environment in a dry and factual manner, to the extent that the relevance of the information to the rest of the report is not apparent. The writer should remember that the description of the environment is not only to describe the existing environmental condition but also provides the foundation upon which environmental effects will be predicted and evaluated. For example, if stakeholders are concerned that the project may affect commercial fishing, the comprehensive study report should provide sufficient information to support the predictions and conclusions made later in the report on effects to commercial fishing. Equally important, the relevance of the information to predictions, evaluations and/or conclusions should be indicated where appropriate.

General environmental context

This section should provide the general environmental context for the project. The description should not be comprehensive or detailed. After reading the description, a person who is unfamiliar with the project or the area should be left with an appreciation for the project's overall environmental setting.

Examples of broad environmental characteristics include climate, terrain and geology, water (both surface waters and groundwaters if relevant), vegetation, fisheries, wildlife, archaeology and heritage resources, the built environment, general local land uses (particularly the traditional use of the area by aboriginal people), and land capability or ecozone classification. The definition of environmental components should be broadly interpreted. However, the inclusion of health, socioeconomic conditions, physical and cultural heritage, and current use of lands and resources for traditional purposes by aboriginal persons, should include only those components that may be affected as a consequence of a change in the biophysical environment attributable to the project.

Ecosystem components in the study area

The specific valued ecosystem components will have been listed in the previous section under scoping. In this section, these components should be described in sufficient detail to allow the reviewer to understand their importance and assess the potential for environmental effects arising from the project activities.

For example, the report could describe a fisheries resource (i.e., fish species, populations, migratory, spawning, and rearing habitat) because fish harvesting is important in a region and may be affected by the project. Maps or charts may be used to communicate relevant information about the sensitive areas to readers. Components that may be affected by the project should be named and located to facilitate mitigation, monitoring and follow-up.

Information collection methods for each environmental component should be described briefly or cross-referenced to supporting documents. This information could be obtained through consultation with stakeholders, with experts, and with people having local knowledge. Technical details should be included in a supporting document.

Relationships between environmental components

This section should identify the key environmental relationships that may be affected by the project. Many of these key environmental relationships will be readily apparent from examining the list of potentially affected environmental components.

The scientific understanding of an ecosystem function and the relationship between environmental components is limited. Therefore, effort should focus on those environmental components identified as being most important according to the issues and concerns raised by stakeholders. For example, if commercial fishing has been identified as an area of concern, the report should identify the linkages between the fishery resource and features such as water quality, water quantity and habitat availability.

Sensitivity to disturbance

Environmental components differ in their sensitivity to disturbance. Depending upon the component and the type and timing of the disturbance, the effects of a project activity may not lead to any apparent change in a particular environmental component. Yet the same disturbance may result in significant changes to a different environmental component. This section should include a description of the sensitivity of each environmental component to the project activities that may affect it. For example, the Arctic tundra is considered to be highly sensitive, partly because of the low growth rate of the vegetation. The tundra is also particularly susceptible to the movement of heavy machinery.

Other factors can contribute to sensitivity. For example, if an ecosystem can recover from a disturbance over a reasonable period of time, it should be considered less sensitive than if the effects of the disturbance are irreversible. Also, the uniqueness of a particular habitat, the rarity of a species, or the scarcity of a particular resource can increase concern from both the ecological and the public perspective. Uses of the environmental component may further influence its perceived or real sensitivity and therefore its treatment in the report. For example, if an environmental component represents a source of country food for local inhabitants of a region, the effect of disrupting it would be greater than if that same resource were not locally consumed. Each of the sources of sensitivity should be described for these environmental components.

The methods used to define sensitivity should be clearly documented in the report.

Potential environmental hazards

This section should include a description of the environmental hazards that could potentially affect the project. These could include avalanches, wind, earthquakes, landslides, frost heave, permafrost, ice scour, wave action, erosion, rockburst-induced seismicity, seismicity due to project-induced subsidence or rebound, and flooding.

8: Predicted Environmental Effects of the Proposed Project

This section should contain information on any change that the project will cause to the environment, more specifically to the valued ecosystem components identified in the previous section, and the effects of these changes on human health, socioeconomic conditions, physical and cultural heritage and on current use of lands and resources for traditional purposes by aboriginal persons. This section should also address cumulative environmental effects, effects of possible malfunction or accidents, effects on sustainable use of renewable resources and effects of the environment on the project.

Project effects on environmental components

This section should describe the predicted project effects in a way that will permit evaluation of the accuracy of the predictions. It should refer to the components identified in previous sections. For each environmental component, the report should document all potential project-related effects. To the maximum extent possible, this documentation should include an indication of the nature of the effect, mechanism, magnitude, direction, likelihood, duration, frequency and timing, geographic extent, and the degree to which it may be reversible. All of this information may be used to determine the significance of the effect.

Key points

- What are the effects of the project on environmental components?
- What are the effects of environmental changes on human health, socioeconomic conditions, physical and cultural heritage and on current use of lands and resources for traditional purposes by aboriginal persons?
- What are the cumulative effects of the project?
- What are the effects on the sustainable use of renewable resources?
- What are the effects of the environment on the project?
- What are the effects of possible malfunctions or accidents?
- What are the methods used to predict effects?

Effects of environmental changes on:

Human health

The self-directed environmental assessment must consider the effects on human health caused by a change in the environment due to the project. For the purposes of the Act, effects on health include effects at the population or community level on:

- physical health, including death and disease rates; and
- psychological, emotional, spiritual, or mental health and well-being.

In addition, the assessment must consider:

- cumulative environmental effects on health;
- the significance of the effects on health; and
- technically and economically feasible measures that would mitigate any significant adverse effects on health.

Example of effects on health conditions

- *toxicological effects of human consumption of fish contaminated by toxic chemicals*

Socioeconomic conditions

The comprehensive study can consider only effects on socioeconomic conditions caused by a change in the environment due to the project. For the purposes of the federal environmental assessment process, socioeconomic conditions include effects at the population or community level on:

- the quality of life or "way of life";
- the economy, commercial opportunities, or employment;
- the availability of recreational opportunities or amenities;
- home life or personal security;
- future land uses; and
- the future use or future production of commercial species or resources;

In addition, the following effects must be considered:

- cumulative environmental effects on socioeconomic conditions;
- the significance of the effects on socioeconomic conditions; and
- technically and economically feasible measures that would mitigate any significant adverse effects on socioeconomic conditions.

Example of effects on socioeconomic conditions

- *closure of commercial or recreational fishery because of contaminated fish*

Physical and cultural heritage

The self-directed environmental assessment must consider the potential environmental effects on physical and cultural heritage and to any structure, site, or thing that is of historical, archaeological, paleontological or architectural significance that would result from environmental changes associated with the project.

In assessing effects on heritage, the environmental assessment should:

- ensure the preservation and protection of sites and objects formally recognized at the international, national, provincial, and municipal levels;
- ensure that the consideration of heritage resources in the environmental assessment is consistent with existing laws and policies on heritage relevant within the project area;
- recognize that a heritage site may have a cultural value greater than the apparent value of the site's physical components; and
- take into account the unique cultural interests and values of aboriginal peoples.

In addition, the assessment must consider:

- cumulative environmental effects on physical and cultural heritage resources;
- the significance of the effects on these resources; and
- technically and economically feasible measures that would mitigate any significant adverse effects on these resources.

Examples of effects on heritage

- *loss of an archaeological site because of excavation or site preparation for an industrial park or plant*
- *damage to a historic burial site during pipeline construction*

Examples of effects on the current use of lands and resources for traditional purposes by aboriginal persons

- *flooding of traditional trapping lines by a hydroelectric dam*
- *reduction in subsistence fishing as a result of a river-dredging project*

Cumulative environmental effects

Cumulative environmental effects receive an increased emphasis within CEAA. Guidance on how to consider cumulative environmental effects in an environmental assessment is provided in the Reference Guide on Cumulative Environmental Effects (see Appendix H for details).

Cumulative environmental effects will be addressed here and in the scoping section of the comprehensive study report. One outcome of the scoping should be an identification of other projects and the cumulative environmental effects of those projects in combination with the proposed project. This section of the report should discuss the predicted environmental effects of the project in the context of other projects already under way or that will occur. The proponent will need to describe the activities of the other projects and provide some indication of the environmental effects that are expected. Considering these effects together with the project effects can determine the cumulative effects.

The report should document the sources of information used to identify other projects. If possible, they should briefly describe the methods used to determine the environmental effects of these other project activities. The methods used to combine the proponent's project effects with those of other projects should also be described.

The objective is *not* to identify two classes of environmental effects. Instead, the report should identify a *single* set of environmental effects that take into account the aggregate effect of the project in the context of other projects acting upon the environment.

The environmental description section could include a description of ongoing environmental effects (e.g. from other projects), as a way of predicting sensitivity to possible cumulative effects.

Effects on sustainable use of renewable resources

The Act requires that the proponent assess the effect that the project may have on the sustainable use of renewable resources. The report should identify what resources are potentially affected by the project, and whether it could affect the capacity of the renewable resource to meet present and future needs.

This capacity -- sustainable use -- is based on a range of ecological considerations, such as:

- the integrity of the ecosystem (that is, its complexity, diversity, stability, and resilience);
- the productive capacity of the resource;
- the carrying capacity of the ecosystem; and
- the assimilative capacity of the ecosystem.

The sustainable use of renewable resources is closely linked to the consideration of cumulative environmental effects. For example, an adverse effect on the sustainable use of a renewable resource, such as a fishery, may be caused by a cumulative environmental effect of a project, or it may be a cumulative environmental effect in its own right.

As with cumulative environmental effects, assessing sustainable-use effects requires consideration of temporal and geographic boundaries and scales. When assessing sustainable-use effects, the responsible authority should consider

- only the environmental effects as defined in the Act;
- only the renewable resources likely to be affected in a significant way by the project; and
- the significance of the sustainable use effects.

The report should not only include direct effects of the project on resource capacity, but also all indirect effects. For example, a project that has an adverse effect on water quality can not only affect the water resource, but also the fisheries resource that may depend upon the affected aquatic ecosystem.

Effects of the environment on the project

Environmental hazards potentially affecting the project were described in a previous section of the report. The predicted effects from these hazards on the proposed project should be documented here.

Effects of possible malfunctions or accidents

This section should identify and describe the possible malfunctions or accidents associated with project activities. This should include an identification of potential accidents, malfunctions or emergency situations that are associated with these activities, the safeguards that have been established to protect against such occurrences, and the contingency/emergency response procedures in place if an accident does occur. Depending on the project, a description of the probabilities and hazards associated with the accidents and malfunctions may be appropriate. Detailed contingency plans should be submitted as a supporting document.

Methods used to predict effects

This section should include a brief, general description of the methods used to predict the potential effects of project activities on environmental components. If a detailed description of a particular method (such as a computer model used to predict emission dispersion or assimilative capacity) is required, it should be placed in a supporting document.

These methods will be used to judge the validity and accuracy of the predicted environmental effects. For quantitative modelling and predictions, a discussion of the model assumptions, the data quality and the confidence levels should be included in this section.

Predictions may be made by other than technical scientific or engineering methods. Consultations or the incorporation of traditional knowledge may have played a role in determining and predicting environmental effects. If so, those methods should be documented here.

9: Mitigation Measures

Key points

- What mitigation measures are planned?
- How effective will these measures be in addressing identified environmental effects?

The comprehensive study report must identify technically and economically feasible measures that will mitigate a project's likely environmental effects. Mitigation is the elimination, reduction, or control of a project's adverse environmental effects, including restitution for any damage to the environment caused by such effects through replacement, restoration, compensation, or any other means.

The Act requires that mitigation measures be developed to address significant effects. As well, mitigation measures are considered part of the project when determining the significance of any adverse environmental effects under the Act.

A precise description of the interventions, structures, preventative measures and corrective actions should be presented in enough detail to give clear understanding of the measures for the responsible authority and the Minister to base a determination.

Descriptions should include anticipated effectiveness and rough costs, the residual effects expected after the mitigation is applied, and the potential environmental effects associated with the failure or malfunction of the mitigation measure. Residual effects should be described in the same terms as the original effects. If outside experience, literature or engineering specifications are used to support a particular mitigation measure, references should be included in the report.

Any assumptions or uncertainty surrounding implementation of mitigation measures, such as untested technology, should be clearly stated in the report.

The selected mitigations should be linked to the environmental effects section and to the monitoring and follow-up description. A summary table or graphic would be useful to identify:

- the predicted environmental effects before mitigation;
- the proposed mitigation;
- the anticipated residual environmental effects after mitigation; and
- follow-up and monitoring required for the mitigation.

Such a table would be particularly instructive since it is the residual environmental effects that are used to determine significance. This summary table could also be reproduced in a modified form in the report's Executive Summary. By making this link it will be possible to identify any unmitigated or only partially mitigated effects. This linkage is also important for people responsible for implementing mitigations to understand the concern and the intent of the mitigation.

Mitigations should not be combined with the project activities, unless the mitigations are standard practices that are always used in conjunction with specific activities. If the mitigations involve a modification of standard practices, then they should be documented separately. This will help ensure that they are identified as needing follow-up and monitoring.

10: Determination of Significance

The determination of significance and likelihood of residual environmental effects are at the core of the decision about the project. It will dictate whether a responsible authority can take a course of action with respect to the project, or whether additional consideration of the project is needed through public review.

Key points

- Are the residual environmental effects adverse?
- Are the residual environmental effects significant?
- Are the significant environmental effects likely?

In the comprehensive study report, the methods used to determine significance should be clearly documented and the results of that determination should be easily linked to these methods. These methods should include not only an analysis of the results and professional judgement, but also consultations with both the public and appropriate experts. This section of the report should document the assumptions that entered into the determination of significance and the uncertainty that surrounds predictions made in the environmental assessment. If those results or predictions are later found to be incorrect, the determination of significance may no longer apply. The report should convey the level of confidence associated with the predictions since this reflects upon the validity of the significance determination. The report should also note dissenting opinions.

The report should make it clear that the focus is on the significance of *residual* environmental effects that remain *after* mitigation has been put into place

Factors used in determining whether or not environmental effects are adverse

Environmental changes:

- *negative effects on the health of biota including plants, animals, and fish*
- *threat to rare or endangered species*
- *reductions in species diversity or disruption of food webs*
- *loss of, or damage to, habitats, including habitat fragmentation*
- *discharges or release of persistent and/or toxic chemicals, microbiological agents, nutrients (e.g., nitrogen, phosphorus), radiation or thermal energy (e.g., cooling wastewater)*
- *population declines, particularly in top predator, large, or long-lived species*
- *the removal of resource materials (e.g., peat, coal) from the environment*
- *transformation of natural landscapes*
- *obstruction of migration, or passage of wildlife*
- *negative effects on the quality and/or quantity of the biophysical environment (e.g., surface water, groundwater, soil, land and air)*

Effects on people resulting from environmental changes:

- *negative effects on human health, well-being, or quality of life*
- *increase in unemployment or shrinkage in the economy*
- *reduction of the quality or quantity of recreational opportunities or amenities*
- *detrimental change in the current use of lands and resources for traditional purposes by aboriginal persons*
- *negative effects on historical, archaeological, paleontological, or architectural resources*
- *decreased aesthetic appeal or changes in visual amenities (e.g., views)*
- *loss of, or damage to, commercial species or resources*
- *foreclosure of future resource use or production*
- *loss of, or damage to, valued, rare, or endangered species or their habitats*

11: Follow-up Program

Objectives

Key points

- What are the objectives of the follow-up program?
- What are the elements of the follow-up program?
- How will the follow-up program be implemented?
- Who will implement the follow-up program?

Under the Act, a follow-up program is used to verify the accuracy of the environmental assessment and to determine the effectiveness of any mitigation measures that have been implemented. In addition, monitoring and follow-up programs can be established to check compliance with approval conditions or to monitor for unanticipated effects.

In the report, it is important that these objectives be clearly defined and be as specific as possible since they will form the basis for the monitoring and follow-up program that will be carried on after the project is approved.

When a follow-up program may be appropriate

The responsible authority *should develop a follow-up program for a project when the circumstances warrant. Examples include situations where*

- *the project involves a new or unproven technology*
- *the project involves new or unproven mitigation measures*
- *an otherwise familiar or routine project is proposed for a new or unfamiliar environmental setting*
- *the assessment's analysis was based on a new assessment technique or model, or there is otherwise some uncertainty about the conclusions*
- *project scheduling is subject to change such that environmental effects could result*

The critical question regarding implementation of a follow-up program is one of uncertainty or unfamiliarity -- in either the analysis and predictions of the environmental assessment, or in the mitigation measures. The assessment must consider, for example, whether a new modelling technique or an untried mitigation measure introduces a level of uncertainty into the project and, if so, what are the corresponding risks of an inaccurate analysis or ineffective mitigation measure?

Elements

The report should provide enough information to allow the reviewer to determine whether the program is likely to be effective in meeting the program objectives defined above. Details such as sampling and analytical protocols, sampling locations and equipment should be included into an appendix.

The focus of the monitoring and follow-up program should be on those potential environmental effects associated with the greatest risk and uncertainty. Statements on the future development of follow up programs may also be placed in this section. Periodic re-evaluations of the plan should also be included to ensure that objectives continue to be met.

Implementation

The report should specify who is responsible for financing and carrying out the follow-up program. The report should also clearly identify a responsible body to review the results of the program to ensure that feedback occurs and that any necessary remedial actions are taken when appropriate.

12: Conclusion and Recommendations of the Responsible Authority

The responsible authority should arrive at a preliminary conclusion about the nature of the project's environmental effects before submission of the report to the Agency and to the Minister. It is recognized that this will not be a final conclusion since public comments may provide additional information which must be considered. One of four conclusions are possible (see box).

Key point

- What is the recommendation about the project?
- Outstanding issues and concerns
- Conditions for approval

Possible conclusions

1. The project is not likely to cause significant adverse environmental effects, taking into account appropriate mitigation measures, if necessary.

2. The project is likely to cause significant adverse environmental effects that cannot be justified.

3. The project is likely to cause significant adverse environmental effects and it is uncertain whether these can be justified in the circumstances.

4. It is uncertain whether the project is likely to cause significant adverse environmental effects.

The final decision will be made after the Agency and the public have reviewed the comprehensive study report and the Minister of the Environment has made a decision on the next step in the process. This section may document and summarize the predicted adverse environmental effects of the project, any terms and conditions deemed appropriate, and any reference to public concern or other aspects of the proposal relevant to the decision.

13: Appendices

RA Co-ordination

The *Federal Co-ordination Regulations* require that the following be collected and submitted with or as part of the comprehensive study report:

- the responses to the notifications sent out under section 5 of the regulations; and
- written confirmation from all the RAs that the factors agreed upon in section 8 of the regulations have been considered and the EA report is complete.

Expert department consultation

This appendix should include a record of the consultation with expert (or advisory) departments. The departments included will depend on the project.

It should briefly describe who was consulted, what information was provided, and how that information was incorporated into the environmental assessment process. This record will help ensure accountability in terms of responsibility and also in terms of analysis. Any unresolved issues with expert departments should also be described.

This appendix could also be used to document the consultation with other non-federal experts, for example in relevant provincial agencies. There will not be the same level of accountability for these experts as for formally designated expert departments.

Public Involvement

This appendix should contain a record of the public consultation program, a summary of the comments received from members of the public, and a description of how the comments received have been addressed. Details may be provided in supporting documents.

A summary of the consultation should be provided that outlines who has or will be consulted, including when and how the consultation has or will occur. This summary should include:

- an outline of existing and planned information materials such as news releases, reports, bulletins, newsletters, brochures, audio-visual materials, other print and electronic advertisements or displays; and
- a description of public information events that have been held or are proposed; and
- a description of concerns raised. A lack of response from groups who were consulted should also be noted.

The responses to these concerns should be linked to the concerns. (If appropriate, the concerns could be cross-referenced to the mitigation section in the report.)

Supporting information

This could include a brief summary or synthesis of environmental studies, maps, or other information used or referred to in the environmental assessment.

Departmental/agency contact

This should give, at a minimum, the names, agencies and telephone numbers of the people preparing the report. Additional information about the person responsible for the comprehensive study report could include the office, department, departmental region, address, and facsimile numbers. An additional valuable item would be the name and contact numbers for an alternate if the person who conducted the comprehensive study is unavailable.

Other Appendices

This could include a glossary of technical and scientific terms used which may not be readily understandable by the public.

Appendix D

Sample Letters
From the Responsible Authority
to the Minister and the Agency

EXAMPLE

LETTER ADDRESSED TO THE MINISTER OF THE ENVIRONMENT

The purpose of this letter is to inform you that we have forwarded to the Canadian Environmental Assessment Agency (the Agency) a Comprehensive Study Report on _____ project as required under subsection 21(a) of the *Canadian Environmental Assessment Act* (Act). This project is located _____.

(Second paragraph should indicate why a comprehensive study is required - e.g. project is in the Comprehensive Study List Regulations).

(Also, indicate whether or not, and how the proponent has carried out public and government consultations for this project and if meetings have been held with First Nation communities and other interested parties.)

Following your review of the Agency's recommendation on the Comprehensive Study Report and taking into account any public comments received during the consultation period, I would appreciate receiving your advice on an appropriate course of action that should be taken with respect to this project.

Yours sincerely,

Minister _____

EXAMPLE

LETTER ADDRESSED TO THE TO PRESIDENT OF THE CANADIAN ENVIRONMENTAL ASSESSMENT AGENCY

The purpose of this letter is to provide you with a Comprehensive Study Report on _____ project as required under subsection 21(a) of the *Canadian Environmental Assessment Act* (Act). This project is located _____.

(Second paragraph should indicate why a comprehensive study is required - e.g. project is in the Comprehensive Study List Regulations).

(Also, indicate whether or not, and how the proponent has carried out public and government consultations for this project and if meetings have been held with First Nation communities and other interested parties.)

We have informed the Minister of the Environment that the comprehensive study report has been submitted to the Agency for review and for his approval. If you require further information on the report, please contact _____.

Yours sincerely,

Departmental Official

Attachment

PROCEDURES FOR PREPARING A TRANSMITTAL LETTER

Letters Required

1. Letter of transmittal from the RA (Minister) to the Minister of the Environment (only letter should be submitted, not the report).

2. Letter of transmittal from departmental official to the President of the Canadian Environmental Assessment Agency (letter and report).

Letter Content

Do not include other issues in the transmittal letter, as the letter will be public information and provided with the report during the comment period.

Do not provide any ministerial advice in the transmittal letter.

Appendix E

Public Notice

Canadian Environmental Assessment Agency | Agence canadienne d'évaluation environnementale

Canadian Environmental Assessment Act
Comprehensive Study Report

PUBLIC NOTICE

(PROJECT NAME)

(NAME OF PROPONENT) is proposing to **(DESCRIPTION OF PROJECT AND LOCATION).** Under s. 21 of the *Canadian Environmental Assessment Act* (Act), the **(NAME OF THE RESPONSABLE AUTHORITY)** has completed a Comprehensive Study report of the project and filed it with the Canadian Environmental Assessment Agency.

Pursuant to s. 22(1) of the Act, the Agency now invites public comments on the conclusions, recommendations and any other aspect of the Comprehensive Study report. All comments received by the Agency will become part of the public registry for the project.

Interested persons have until XXXX to address their remarks in the official language of their choice to the Agency project officer:

Brad Parker
Comprehensive Study Project Officer
Canadian Environmental Assessment Agency
200 Sacré-Coeur Blvd.,
Hull, Quebec
K1A 0H3
Tel: (819) 953-5044
FAX: (819) 994-1469

Copies of the report can be consulted from xxxx, 199X at the following locations:

Canadian Environmental Assessment Agency
(REGIONAL OFFICE ADDRESS)
Tel: ( )
FAX: ( )

(PROVINCIAL GOVERNMENT)
(ADDRESS)
Tel: ( )
Fax: ( )

(LIBRARY NAME)
(ADDRESS)
Tel: ( ) **(CONTACT NAME)**

(LIBRARY NAME)
(ADDRESS)
Tel: ( ) **(CONTACT NAME)**

(LIBRARY NAME)
(ADDRESS)
Tel: ( ) **(CONTACT NAME)**

(LIBRARY NAME)
(ADDRESS)
Tel: ( ) **(CONTACT NAME)**

For more information on the project, please contact:

(CONTACT NAME OF PROPONENT)
(ADDRESS)
Tel: ( )
FAX: ( )

NOTE: All documents received regarding this report are considered public.

Appendix F

Glossary

Acronyms used in the guide

CEAA	Canadian Environmental Assessment Agency
CS	comprehensive study
CSR	comprehensive study report
EA	environmental assessment
FA	federal authority
Minister	Minister of the Environment
RA	responsible authority

Definitions from the Canadian Environmental Assessment Act

comprehensive study

an environmental assessment that is conducted pursuant to section 21 and that includes a consideration of the factors required to be considered under subsections 16(1) and (2)

comprehensive study list

a list of all projects or classes of projects that have been prescribed pursuant to regulations made under paragraph 59(d)

environment

the components of the Earth, and includes
- land, water, and air, including all layers of the atmosphere;
- all organic and inorganic matter and living organisms; and
- the interacting natural systems that include the above components

environmental assessment

in respect of a project, an assessment of the environmental effects of the project that is conducted in accordance with this Act and the regulations

environmental effect

in respect of a project, any change that the project may cause in the environment, including any effect of any such change on health and socioeconomic conditions, on physical and cultural heritage, on the current use of lands and resources for traditional purposes by aboriginal persons, or on any structure, site, or thing that is of historical, archaeological, paleontological, or architectural significance, and

any change to the project that may be caused by the environment,

whether any such change occurs within or outside Canada

federal authority

a Minister of the Crown in right of Canada;

an agency of the Government of Canada or other body established by or pursuant to an Act of Parliament that is ultimately accountable through a Minister of the Crown in right of Canada to Parliament for the conduct of its affairs;

any department or departmental corporation set out in Schedule I or II to the *Financial Administration* Act, and

any other body that is prescribed pursuant to regulations made under paragraph 59(e)

follow-up program

a program for:

- verifying the accuracy of the environmental assessment of a project; and
- determining the effectiveness of any measures taken to mitigate the adverse environmental effects of the project

interested party

in respect of an environmental assessment, any person or body having an interest in the outcome of the environmental assessment for a purpose that is neither frivolous nor vexatious

mitigation

in respect of a project, the elimination, reduction, or control of the adverse environmental effects of the project, and includes restitution for any damage to the environment caused by such effects through replacement, restoration, compensation, or any other means

project

in relation to a physical work, any proposed construction, operation, modification, decommissioning, abandonment, or other undertaking in relation to that physical work; or

any proposed physical activity not relating to a physical work that is prescribed or is within a class of physical activities that is prescribed pursuant to regulations made under paragraph 59(b)

proponent

in respect of a project, the person, body, federal authority, or government that proposes the project

record

includes any correspondence, memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microform, sound recording, videotape, machine-readable record, and any other documentary material, regardless of physical form or characteristics, and any copy thereof

responsible authority

in relation to a project, a federal authority that is required pursuant to subsection 11(1) to ensure that an environmental assessment of the project is conducted

sustainable development

development that meets the needs of the present, without compromising the ability of future generations to meet their own needs

Terms used in the guide

Act

Canadian Environmental Assessment Act

Agency

Canadian Environmental Assessment Agency

alternative means

methods of a similar technical character or methods that are functionally the same; "alternative means" with respect to a nuclear power plant, for example, includes selecting a different location, building several smaller plants, and expanding an existing nuclear plant

alternatives to a project

functionally different ways of achieving the same end; for example, "alternatives to" a nuclear power plant include importing power, building a hydroelectric dam, conserving energy, and obtaining the energy through renewable sources

cumulative environmental effects

the effects on the environment, over a certain period of time and distance, resulting from the effects of a project when combined with those of other past, existing, and imminent projects and activities

EA track

the form of environmental assessment a project must undergo, whether a screening, comprehensive study, mediation, or panel review

expert federal departments

any federal authority in possession of specialist or expert information or knowledge with respect to a project

federal support for a project

the federal power, duty, or function that a federal authority exercises or performs in relation to the project, including acting as the proponent, or providing financial support, an interest in federal lands, or a federal permit or licence

interest in land

a right, claim, title to, or legal share in land

lead RA

where the same project has two or more RAs, one of the RAs may be designated as the lead for purposes of conducting the EA

public registry

a system for providing convenient public access to documents relating to an EA

public review

for the purpose of this guide only, an environmental assessment by means of a mediation or a panel review

scope of the assessment

a determination of: the environmental effects to be addressed; the scope of the environmental effects to be assessed; and the effects to be considered in making decisions regarding the project

scope of the project

those components of the proposed development that should be considered part of the project for the purposes of the EA

self-directed environmental assessment

for the purpose of this guide only, an environmental assessment by means of a screening or comprehensive study

trigger

an action by a federal authority that triggers or initiates the need for an environmental assessment; that is, one or more of the following duties, powers, or functions in relation to a project:

- proposes the project;
- grants money or other financial assistance to a project;
- grants an interest in land for a project; or
- exercises a regulatory duty in relation to a project, such as issuing a permit or license, that is included in the Law List prescribed in the Act's regulation

undertaking

construction, operation, modification, maintenance and repairs, decommissioning, abandonment

Appendix G

Comprehensive Study Checklist

Comprehensive Study Checklist

Phase 1: Preparing for a comprehensive study	
Have you	***Done***
Determined if the Act applies?	☐
Determined whether the project has been previously assessed?	☐
Determined the environmental assessment track to follow?	☐
Contacted the Agency?	☐
Identified the other federal authorities and expert departments involved, if any, according to the *Federal Co-ordination Regulation*?	☐
Identified a lead responsible authority, if required?	☐
Reviewed your obligations under the Act?	☐
Involved expert federal authorities?	☐
Determined, whether harmonization of process is required?	☐
Prepared a public involvement program?	☐
Established a public registry for the project?	☐
Phase 2: Preparation of the comprehensive study	
Have you	**Done**
Determined the scope of the project?	☐
Determined the factors to be considered in the assessment?	☐
Determined the scope of the factors to be assessed?	☐
Consulted with stakeholders (experts, public) on scoping issues?	☐
Prepared project-specific guidelines for the comprehensive study?	☐
Ensured that the comprehensive study has been conducted?	☐
Ensured that a draft comprehensive study report has been prepared?	☐
Reviewed the report and identified information gaps?	☐
Involved other stakeholders in the review of the CS report?	☐
Provided, for review, a copy of the draft CS report to the Agency?	☐
Determined how any information gaps will be filled?	☐
Included with or as part of the report the responses to the notifications sent out under section 5 of the *Federal Co-ordination Regulations*, and written confirmation from all the RAs that the factors agreed upon in section 8 of the regulations have been considered and the EA report is complete?	☐
Integrated comments received in final CS report?	☐
Try to resolve any outstanding issues?	☐
Listed concerns and explained how they are being addressed in the report?	☐
Listed any outstanding issues in the report?	☐

Phase 3: Public comment period and decision	
Have you	**Done**
Provided input in the preparation of the public notice plan?	☐
If necessary, translated the report?	☐
Submitted a final CS report to the Agency?	☐
Informed the Minister of the Environment that the CS report was submitted to the Agency?	☐
Fulfilled your obligations with respect to the public registry?	☐
Distributed the CS report for the consultation period?	☐
In cooperation with the Agency, tried to resolve any significant issues raised by the public during the consultation period?	☐
Reviewed the decision of the Minister of the Environment?	☐
Decided on a course of action?	☐
Informed the proponent of your course of action?	☐
Provided a public notice of your course of action?	☐
Decided whether a follow-up program is appropriate?	☐
Ensured the implementation of appropriate mitigation measures?	☐
Ensured the implementation of the follow-up program?	☐

Appendix H

Other Guides Available

Other Guides Available

Responsible Authority's Guide (November 1994) including 4 reference guides:

- Addressing Cumulative Environmental Effects
- The Public Registry
- Determining Whether a Project is Likely to Cause Significant Adverse Environmental Effects
- Physical and Cultural Heritage Resources

Available: Agency Web Site, paper copy

Citizen's Guide (November 1994)
Available: Agency Web Site, paper copy

A Guide on Biological Diversity and EA (April 1996)
Available: paper copy

Guide on Agency Procedures (April 1995) including chapters on:

- Public Registry
- Class Screenings
- Comprehensive Studies
- Mediation
- Public Review Panels
- Participant Funding Programs

Available: paper copy

Guide on Policy EA (September 1996)
Available: paper copy

Draft Guide on Scoping
Available: paper copy

Guide on the Regulations Respecting the Coordination by Federal Authorities of Environmental Assessment Procedures and Requirements
Available: paper copy

Cumulative Effects Assessment Practitioners Guide (December 1997)
Draft for discussion
Available: Agency Web Site, paper copy

Reference Centre Contact: **Stéphane Parent (819) 994-2578**

Agency Web Site: **http://www.ceaa.gc.ca**